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Commission on Crime Prevention and Criminal Justice

Report on the twenty-sixth session (2 December 2016 and 22-26 May 2017)

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Note

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The report of the Commission on Crime Prevention and Criminal Justice on its reconvened twenty-sixth session, to be held on 7 and 8 December 2017, will be issued as *Official Records of the Economic and Social Council, 2017, Supplement No. 10A* (E/2017/30/Add.1).

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Contents

Chapter		Page
	Executive summary	v
I.	Matters calling for action by the Economic and Social Council or brought to its attention	1
	A. Draft resolutions to be recommended by the Economic and Social Council for adoption by the General Assembly	1
	I. Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice	1
	II. Promoting the practical application of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)	5
	III. Technical assistance for implementing the international conventions and protocols related to counter-terrorism	9
	B. Draft resolutions for adoption by the Economic and Social Council	13
	I. Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons	13
	II. Promoting and encouraging the implementation of alternatives to imprisonment as part of comprehensive crime prevention and criminal justice policies	17
	C. Draft decisions for adoption by the Economic and Social Council	19
	I. Improving the governance and financial situation of the United Nations Office on Drugs and Crime: extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime	19
	II. Report of the Commission on Crime Prevention and Criminal Justice on its twenty-sixth session and provisional agenda for its twenty-seventh session	21
	III. Appointment of two members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute	22
	D. Matters brought to the attention of the Economic and Social Council	22
	Resolution 26/1 Improving the governance and financial situation of the United Nations Office on Drugs and Crime: recommendations of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime	22
	Resolution 26/2 Ensuring access to measures for the prevention of mother-to-child transmission of HIV in prisons	25
	Resolution 26/3 Mainstreaming a gender perspective into crime prevention and criminal justice policies and programmes and into efforts to prevent and combat transnational organized crime	29
	Resolution 26/4 Strengthening international cooperation to combat cybercrime	33
	Decision 26/1 Report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute	35
II.	Strategic management, budgetary and administrative questions	36
	A. Deliberations	36

B. Action taken by the Commission ... 38

III. Thematic discussion on comprehensive and integrated crime prevention strategies: public participation, social policies and education in support of the rule of law ... 39

A. Summary by the Chair ... 40

B. Workshop on institutional coordination in crime prevention: international perspectives ... 41

IV. Integration and coordination of efforts by the United Nations Office on Drugs and Crime and Member States in the field of crime prevention and criminal justice ... 42

A. Deliberations ... 43

B. Action taken by the Commission ... 45

V. Use and application of United Nations standards and norms in crime prevention and criminal justice ... 49

A. Deliberations ... 49

B. Action taken by the Commission ... 50

VI. World crime trends and emerging issues and responses in the field of crime prevention and criminal justice ... 51

A. Deliberations ... 51

B. Action taken by the Commission ... 52

VII. Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice ... 53

A. Deliberations ... 53

B. Action taken by the Commission ... 54

VIII. Contributions by the Commission to the work of the Economic and Social Council, in line with General Assembly resolution 68/1, including follow-up, review and implementation of the 2030 Agenda for Sustainable Development ... 55

Deliberations ... 55

IX. Provisional agenda for the twenty-seventh session of the Commission ... 57

Action taken by the Commission ... 57

X. Other business ... 58

XI. Adoption of the report of the Commission on its twenty-sixth session ... 59

XII. Organization of the session ... 60

A. Informal pre-session consultations ... 60

B. Opening and duration of the session ... 60

C. Attendance ... 61

D. Election of officers ... 61

E. Adoption of the agenda and organization of work ... 62

F. Documentation ... 62

G. Closure of the current part of the session ... 62

Executive summary

The present summary has been prepared pursuant to the annex to General Assembly resolution 68/1, entitled "Review of the implementation of General Assembly resolution 61/16 on the strengthening of the Economic and Social Council", in which it is stated that the subsidiary bodies of the Council should, inter alia, include in their reports an executive summary.

The Commission on Crime Prevention and Criminal Justice held its twenty-sixth regular session from 22 to 26 May 2017. The present document contains the report on the twenty-sixth session and, in chapter I, contains the text of the resolutions and decisions adopted by the Commission and/or recommended by the Commission for adoption by the Economic and Social Council and/or the General Assembly.

At its twenty-sixth session, the Commission considered strategic management, budgetary and administrative questions, the integration and coordination of efforts by the United Nations Office on Drugs and Crime in the field of crime prevention and criminal justice, including issues related to the ratification and implementation of the United Nations Convention against Transnational Organized Crime, the United Nations Convention against Corruption and the international instruments to prevent and combat terrorism, and other crime prevention and criminal justice matters, as well as the follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth Congress. Furthermore, the Commission considered the use and application of United Nations standards and norms in crime prevention and criminal justice, world crime trends and emerging issues and responses in the field of crime prevention and criminal justice. The Commission also considered its contribution to the work of the Economic and Social Council, in line with General Assembly resolution 68/1, including follow-up, review and implementation of the 2030 Agenda for Sustainable Development.

The prominent theme for the twenty-sixth session of the Commission was "Comprehensive and integrated crime prevention strategies: public participation, social policies and education in support of the rule of law", which was also the topic of the thematic discussion held during the session, on 23 May 2017.

The Commission recommended to the Economic and Social Council the approval of the following draft resolutions for adoption by the General Assembly: (a) "Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice"; (b) "Promoting the practical application of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)"; and (c) "Technical assistance for implementing the international conventions and protocols related to counter-terrorism". The Commission recommended for adoption by the Economic and Social Council the following draft resolutions: (a) "Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons"; and (b) "Promoting and encouraging the implementation of alternatives to imprisonment as part of comprehensive crime prevention and criminal justice policies". The Commission also recommended for adoption by the Council the following decisions: (a) "Improving the governance and financial situation of the United Nations Office on Drugs and Crime: extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime"; (b) "Report of the Commission on Crime Prevention and Criminal Justice on its twenty-sixth session and provisional agenda for its twenty-seventh session"; and (c) "Appointment of two members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute".

Furthermore, the Commission adopted the following resolutions and decision: (a) "Improving the governance and financial situation of the United Nations Office on Drugs and Crime: recommendations of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime"; (b) "Ensuring access to measures for the prevention of mother-to-child transmission of HIV in prisons"; (c) "Mainstreaming a gender perspective into crime prevention and criminal justice policies and programmes and into efforts to prevent and combat transnational organized crime"; (d) "Strengthening international cooperation to combat cybercrime"; and (e) "Report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute".

Chapter I

Matters calling for action by the Economic and Social Council or brought to its attention

A. Draft resolutions to be recommended by the Economic and Social Council for adoption by the General Assembly

1. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the approval of the following draft resolutions for adoption by the General Assembly:

Draft resolution I

Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice

The General Assembly,

Recalling its resolution 56/119 of 19 December 2001 on the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, in which it stipulated the guidelines in accordance with which, beginning in 2005, the congresses, pursuant to paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme,[1] should be held,

Emphasizing the responsibility assumed by the United Nations in the field of crime prevention and criminal justice in pursuance of Economic and Social Council resolution 155 C (VII) of 13 August 1948 and General Assembly resolution 415 (V) of 1 December 1950,

Acknowledging that the United Nations congresses on crime prevention and criminal justice, as major intergovernmental forums, have influenced national policies and practices and promoted international cooperation in that field by facilitating the exchange of views and experience, mobilizing public opinion and recommending policy options at the national, regional and international levels,

Bearing in mind the consultative nature of the United Nations congresses on crime prevention and criminal justice, and their role as a forum for promoting the exchange of experience in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice among States, intergovernmental organizations and individual experts representing various professions and disciplines,

Recalling its resolution 57/270 B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields, in which it stressed that all countries should promote policies consistent and coherent with the commitments of the major United Nations conferences and summits, emphasized that the United Nations system had an important responsibility to assist Governments to stay fully engaged in the follow-up to and implementation of agreements and commitments reached at the major United Nations conferences and summits, and invited its intergovernmental bodies to further promote the implementation of the outcomes of the major United Nations conferences and summits,

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[1] General Assembly resolution 46/152, annex.

Recalling also its resolution 62/173 of 18 December 2007, in which it endorsed the recommendations made by the Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice at its meeting held in Bangkok from 15 to 18 August 2006,[2]

Recalling further its resolution 70/174 of 17 December 2015, in which it endorsed the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[3] adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, requested the Commission on Crime Prevention and Criminal Justice to review the implementation of the Doha Declaration under the standing item on its agenda entitled "Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice", and welcomed with appreciation the offer of the Government of Japan to act as host to the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in 2020,

Reaffirming the commitment expressed by Member States in the Doha Declaration to endeavour to mainstream a gender perspective into their criminal justice systems by developing and implementing national strategies and plans to promote the full protection of women and girls from all acts of violence, including gender-related killing of women and girls, and to promote gender-specific measures as an integral part of their policies on crime prevention, criminal justice and the treatment of offenders, including the rehabilitation and reintegration of women offenders into society, taking into consideration the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[4]

Recalling its resolution 71/206 of 19 December 2016, in which it requested the Commission to approve at its twenty-sixth session the overall theme, the agenda items and the topics for the workshops of the Fourteenth Congress, recommended that, building on the experience and the success of the Thirteenth Congress, all efforts be made to ensure that the overall theme and the agenda items and workshop topics of the Fourteenth Congress be interrelated and that the agenda items and workshop topics be streamlined and limited in number, and encouraged the holding of side events that were focused on and complemented the agenda items and workshops,

Recalling also its resolution 70/1 of 25 September 2015,

Encouraged by the success of the Thirteenth Congress as one of the largest and most diverse forums for the exchange of views on and experiences in research, law and policy and programme development between States, intergovernmental and non-governmental organizations and individual experts representing various professions and disciplines,

Stressing the importance of undertaking all preparatory activities for the Fourteenth Congress in a timely and concerted manner,

Having considered the report of the Secretary-General on the follow-up to the Thirteenth Congress and preparations for the Fourteenth Congress,[5]

1. *Reiterates its invitation* to Governments to take into consideration the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[3] adopted by the Thirteenth United Nations Congress on Crime

[2] See E/CN.15/2007/6, chap. IV.
[3] General Assembly resolution 70/174, annex.
[4] General Assembly resolution 65/229, annex.
[5] E/CN.15/2017/11.

Prevention and Criminal Justice, when formulating legislation and policy directives and to make every effort, where appropriate, to implement the principles contained therein in conformity with the purposes and principles of the Charter of the United Nations;

2. *Welcomes* the work undertaken by the United Nations Office on Drugs and Crime in ensuring appropriate follow-up to the implementation of the Doha Declaration, and also welcomes in that regard the contribution of the Government of Qatar;

3. *Notes* the progress made thus far in the preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice;

4. *Decides* that the duration of the Fourteenth Congress should not exceed eight days, including pre-Congress consultations;

5. *Also decides* that the main theme of the Fourteenth Congress shall be "Advancing crime prevention, criminal justice and the rule of law: towards the achievement of the 2030 Agenda";

6. *Further decides* that, in accordance with its resolution 56/119, the Fourteenth Congress shall open with a high-level segment, at which States will be invited to be represented at the highest possible level, for example, by Heads of State or Government, Government ministers or attorneys general, and that representatives will be given an opportunity to make statements on the topics of the Congress;

7. *Decides* that, in accordance with its resolution 56/119, the Fourteenth Congress shall adopt a single declaration, to be submitted to the Commission on Crime Prevention and Criminal Justice for its consideration;

8. *Requests* the Secretary-General to encourage the participation of representatives from relevant entities of the United Nations system in the Fourteenth Congress, bearing in mind the main theme, agenda items and workshop topics of the Congress;

9. *Approves* the following provisional agenda for the Fourteenth Congress, finalized by the Commission at its twenty-sixth session:

1. Opening of the Congress.

2. Organizational matters.

3. Comprehensive strategies for crime prevention towards social and economic development.

4. Integrated approaches to challenges facing the criminal justice system.

5. Multidimensional approaches by Governments to promoting the rule of law by, inter alia, providing access to justice for all; building effective, accountable, impartial and inclusive institutions; and considering social, educational and other relevant measures, including fostering a culture of lawfulness while respecting cultural identities, in line with the Doha Declaration.

6. International cooperation and technical assistance to prevent and address all forms of crime:

   (a) Terrorism in all its forms and manifestations;

   (b) New and emerging forms of crime.

7. Adoption of the report of the Congress.

10. *Decides* that the following issues shall be considered in workshops within the framework of the Fourteenth Congress:

(a) Evidence-based crime prevention: statistics, indicators and evaluation in support of successful practices;

(b) Reducing reoffending: identifying risks and developing solutions;

(c) Education and youth engagement as key to making societies resilient to crime;

(d) Current crime trends, recent developments and emerging solutions, in particular new technologies as means for and tools against crime.

11. *Requests* the Secretary-General, in cooperation with the institutes of the United Nations crime prevention and criminal justice programme network, to prepare a discussion guide for the regional preparatory meetings for the Fourteenth Congress and for the Congress itself in a timely manner in order to enable those meetings to be held as early as possible in 2019, and invites Member States to be actively involved in that process;

12. *Also requests* the Secretary-General to facilitate the organization of the regional preparatory meetings and to make available the necessary resources for the participation of the least developed countries in those meetings and in the Fourteenth Congress itself, in accordance with past practice and in consultation with Member States;

13. *Urges* participants in the regional preparatory meetings to examine the substantive items on the agenda and the topics of the workshops of the Fourteenth Congress and to make action-oriented recommendations to serve as a basis for the draft recommendations and conclusions for consideration by the Congress;

14. *Invites* Member States to be represented at the highest possible level at the Fourteenth Congress, for example, by Heads of State or Government, Government ministers or attorneys general, to make statements on the theme and topics of the Congress and to participate actively in the high-level segment;

15. *Calls upon* Member States to play an active role in the Fourteenth Congress by sending legal and policy experts, including practitioners with special training and practical experience in crime prevention and criminal justice;

16. *Emphasizes* the importance of the workshops to be held within the framework of the Fourteenth Congress, and invites Member States, intergovernmental and non-governmental organizations and other relevant entities to provide financial, organizational and technical support to the United Nations Office on Drugs and Crime and the institutes of the United Nations crime prevention and criminal justice programme network for the preparations for the workshops, including the preparation and circulation of relevant background material;

17. *Requests* the Secretary-General to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Fourteenth Congress, in accordance with past practice, as well as meetings of professional and geographical interest groups, and to take appropriate measures to encourage the participation of the academic and research community in the Congress, and encourages Member States to actively participate in the above-mentioned meetings, as they provide an opportunity to develop and maintain strong partnerships with the private sector and civil society organizations;

18. *Encourages* Governments to undertake preparations for the Fourteenth Congress at an early stage and by all appropriate means, including, where appropriate, the establishment of national preparatory committees;

19. *Encourages* the relevant United Nations programmes, specialized agencies of the United Nations system and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with the United Nations Office on Drugs and Crime in the preparations for the Fourteenth Congress;

20. *Requests* the Commission to accord sufficient time at its twenty-seventh session to reviewing the progress made in the preparations for the Fourteenth Congress, to finalize in a timely manner all outstanding organizational and substantive arrangements and to make its recommendations to the General Assembly through the Economic and Social Council;

21. *Requests* the Secretary-General to ensure proper follow-up to the present resolution and to report thereon to the General Assembly through the Commission at its twenty-seventh session.

Draft resolution II

Promoting the practical application of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)

The General Assembly,

Bearing in mind the long-standing concern of the United Nations for the humanization of criminal justice and the protection of human rights, and emphasizing the fundamental importance of human rights in the daily administration of criminal justice and crime prevention,

Recalling its resolution 65/230 of 21 December 2010, entitled "Twelfth United Nations Congress on Crime Prevention and Criminal Justice", in which it requested the Commission on Crime Prevention and Criminal Justice to establish an open-ended intergovernmental expert group to exchange information on best practices, national legislation and existing international law and on the revision of existing United Nations standard minimum rules for the treatment of prisoners so that they reflected recent advances in correctional science and best practices,

Mindful of the extensive consultative process culminating in the recommendations of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners, a process spanning a period of five years, consisting of technical and expert pre-consultations, meetings in Vienna, Buenos Aires and Cape Town, South Africa, and the active participation and input of Member States from all regions, assisted by representatives of the United Nations crime prevention and criminal justice programme network and other United Nations entities, including the Office of the United Nations High Commissioner for Human Rights, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the United Nations Office on Drugs and Crime, intergovernmental organizations, including the International Committee of the Red Cross, specialized agencies in the United Nations system, including the World Health Organization, and non-governmental organizations and individual experts in the field of correctional science and human rights,

Recalling its resolution 70/175 of 17 December 2015, entitled "United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)", in which it adopted the proposed revision of the Standard Minimum Rules for the Treatment of Prisoners as the United Nations Standard Minimum Rules for the Treatment of Prisoners and approved the recommendation of the Expert Group that the Rules should be known as "the Nelson Mandela Rules", to honour the legacy of the late President of South Africa, Nelson Rolihlahla Mandela, who spent 27 years in prison in the course of his struggle for global human rights, equality, democracy and the promotion of a culture of peace,

Recalling also that in its resolution 70/175, the General Assembly decided to extend the scope of Nelson Mandela International Day, observed each year on 18 July,[a] to be also utilized in order to promote humane conditions of imprisonment, to raise awareness about prisoners being a continuous part of society and to value

[a] See General Assembly resolution 64/13

the work of prison staff as a social service of particular importance, and to that end invited Member States, regional organizations and organizations of the United Nations system to celebrate the occasion in an appropriate manner,

Recalling further that in the same resolution, it invited the Commission on Crime Prevention and Criminal Justice to consider, at its upcoming sessions, reconvening the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners for the purpose of identifying the lessons learned, the means to continue to exchange good practices and the challenges faced in the practical application of the Nelson Mandela Rules,

Recalling its resolution 71/188 of 19 December 2016, entitled "Human rights in the administration of justice", in which it welcomed the adoption of the Nelson Mandela Rules, recognized the importance of the principle that, except for those lawful limitations demonstrably necessitated by the fact of incarceration, persons deprived of their liberty shall retain their non-derogable human rights and all other human rights and fundamental freedoms, and recalled that the social rehabilitation and reintegration of persons deprived of their liberty shall be among the essential aims of the criminal justice system, ensuring, as far as possible, that offenders are able to lead a law-abiding and self-supporting life upon their return to society,

Reaffirming its resolution 71/209 of 19 December 2016, entitled "Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity", in which it called upon Member States to implement, where appropriate, the Nelson Mandela Rules, bearing in mind their spirit and purpose, and encouraged Member States to take relevant measures, as appropriate to their national contexts, to ensure the diffusion, use and application of the United Nations standards and norms in crime prevention and criminal justice, including through the consideration and, where they deemed it necessary, dissemination of manuals and handbooks developed and published by the United Nations Office on Drugs and Crime,

Recalling other United Nations standards and norms in crime prevention and criminal justice related to the treatment of prisoners and to alternatives to imprisonment, in particular the procedures for the effective implementation of the Standard Minimum Rules for the Treatment of Prisoners,[7] the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,[8] the Basic Principles for the Treatment of Prisoners,[9] the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules),[10] the Guidelines for the Prevention of Crime[11] and the basic principles on the use of restorative justice programmes in criminal matters,[12]

Bearing in mind the need for vigilance with regard to the specific situation of children, juveniles and women in the administration of justice, in particular while they are deprived of their liberty, as called for in the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules),[13] the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines),[14] the United Nations Rules for the Protection of Juveniles Deprived of their Liberty[15] and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[16]

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[7] Economic and Social Council resolution 1984/47, annex.
[8] General Assembly resolution 43/173, annex.
[9] General Assembly resolution 45/111, annex.
[10] General Assembly resolution 45/110, annex.
[11] Economic and Social Council resolution 2002/13, annex.
[12] Economic and Social Council resolution 2002/12, annex.
[13] General Assembly resolution 40/33, annex.
[14] General Assembly resolution 45/112, annex.
[15] General Assembly resolution 45/113, annex.
[16] General Assembly resolution 65/229, annex.

Mindful of the fact that the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[17] adopted at the conclusion of the Thirteenth Congress on Crime Prevention and Criminal Justice held in Qatar in April 2015, points to the need to implement and enhance policies for prison inmates that focus on education, work, medical care, rehabilitation, social reintegration and the prevention of recidivism, and to consider the development and strengthening of policies to support the families of inmates, as well as to promote and encourage the use of alternatives to imprisonment, where appropriate, and to review or reform our restorative justice and other processes in support of successful reintegration,

Concerned about the negative impact of overcrowding on the enjoyment of human rights by prisoners,

Noting the continuing need to enhance the sharing of information and experiences and technical assistance to improve, where needed, prison conditions and to address different serious challenges such as overcrowding, taking into consideration relevant international standards and norms,

Underscoring that, notwithstanding their non-legally binding nature, the Nelson Mandela Rules represent, as a whole, the minimum conditions which are accepted as suitable by the United Nations and set out what is generally accepted as good principles and practices in the treatment of prisoners and in prison management,

Acknowledging the variety of legal frameworks of Member States and, in that regard, recognizing that Member States may adapt the application of the Nelson Mandela Rules, in accordance with their domestic legal frameworks, as appropriate, bearing in mind the spirit and purposes of the Rules,

Noting with concern the persistence, in various parts of the world, of challenges to the management of prisons consistent with international standards and norms, such as overcrowding, poor prison conditions that may result in serious medical consequences and the presence of prisoners assessed to be of high risk,

1. *Encourages* Member States to endeavour to improve conditions of imprisonment and to promote the practical application of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)[18] as the universally acknowledged and updated minimum standards for the treatment of prisoners, to use the Rules as a guide in the development of prison laws, policies and practices, to continue exchanging good practices and identifying challenges faced in the practical application of the Rules and to share their experiences in dealing with those challenges;

2. *Also encourages* Member States to address overcrowding in detention facilities by taking effective measures, including through enhancing the availability and use of alternatives to pretrial detention and custodial sentences, bearing in mind the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules)[19] and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[20] access to legal aid, mechanisms for crime prevention, early release and rehabilitation programmes and the efficiency as well as the capacity of the criminal justice system;

3. *Welcomes* the formation of the Vienna-based Group of Friends of the Nelson Mandela Rules as an informal and open-ended group of like-minded Member States, and also welcomes the first meeting of the Group, held during the twenty-sixth session of the Commission on Crime Prevention and Criminal Justice, at which the Group decided that the following would be its main purposes:

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[17] General Assembly resolution 70/174, annex.

[18] General Assembly resolution 70/175, annex.

(a) Maintaining the momentum generated by the adoption of the Nelson Mandela Rules for prison management and reform by raising awareness of the Rules as well as by promoting their practical application worldwide;

(b) Convening expert consultations on priority aspects relating to prison management during future sessions of the Commission on Crime Prevention and Criminal Justice and facilitating common positions, as appropriate;

(c) Serving as the main support vehicle for the technical assistance delivered by the United Nations Office on Drugs and Crime under its Global Programme on Addressing Prison Challenges;

(d) Facilitating the widest possible involvement of Member States in the yearly celebrations of Nelson Mandela International Day, on 18 July, with the additional objective of promoting humane conditions of imprisonment;

4. *Expresses its gratitude* to the Government of South Africa for having initiated and for assuming the chair of the Group of Friends of the Nelson Mandela Rules, thereby following up on the leadership it provided throughout the review process for the Standard Minimum Rules for the Treatment of Prisoners, including by hosting the last meeting of the Expert Group on the Standard Minimum Rules for the Treatment of Prisoners in Cape Town, South Africa, from 2 to 5 March 2015;

5. *Invites* all Member States to consider actively participating in the Group of Friends of the Nelson Mandela Rules in order to create an informal forum for the exchange of views, experiences and challenges with regard to the practical application of the Rules;

6. *Recognizes* that well-managed prisons and the treatment of prisoners consistent with international standards and norms for crime prevention and criminal justice can also contribute to the implementation by Member States of the 2030 Agenda for Sustainable Development[19] and the achievement of Sustainable Development Goal 16 (promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels) and Sustainable Development Goal 5 (achieve gender equality and empower all women and girls), in particular;

7. *Welcomes with appreciation* the Global Programme on Addressing Prison Challenges, launched by the United Nations Office on Drugs and Crime, and its technical assistance and advisory services, provided to Member States upon request, which focus on the three areas of rationalizing the resort to imprisonment, improving prison conditions and strengthening prison management, and supporting the social reintegration of prisoners upon their release;

8. *Reiterates* that good prison management practices, informed by the international standards and norms for crime prevention and criminal justice, should form the basis for the treatment of all categories of prisoners, and highlights in this regard the value of the Nelson Mandela Rules in addressing the specific challenges of high-risk prisoners;

9. *Welcomes* the technical assistance work carried out by the United Nations Office on Drugs and Crime, in close cooperation with national experts from Member States and with financial support provided by the Government of Germany, on the Nelson Mandela Rules, including the guidance material produced to assist corrections authorities with their application, including on the management of high-risk prisoners;

10. *Welcomes* the financial support provided by the Government of Qatar for the purpose of supporting the implementation of the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation[17] in the form

[19] General Assembly resolution 70/1.

of a technical assistance programme implemented by the United Nations Office on Drugs and Crime, which includes a dedicated component on fostering the rehabilitation and social reintegration of prisoners;

11. *Requests* the United Nations Office on Drugs and Crime to continue ensuring broad dissemination of the Nelson Mandela Rules, to design guidance material and to provide technical assistance and advisory services to Member States, upon request, in the field of penal reform, in order to develop or strengthen penitentiary legislation, procedures, policies and practices consistent with the Rules;

12. *Also requests* the United Nations Office on Drugs and Crime, within its mandate, to facilitate the exchange of information and experiences in relation to the practical implementation of the Nelson Mandela Rules among Member States;

13. *Encourages* Member States to consider allocating adequate human and financial resources to assist in the improvement of prison conditions, including through upgrading and modernizing prison facilities, and the application of the Nelson Mandela Rules, and invites Member States and other donors to provide extrabudgetary resources for the purposes described above, in accordance with the rules and procedures of the United Nations;

14. *Acknowledges* the important role of the United Nations crime prevention and criminal justice programme network, intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council in contributing to the dissemination, promotion and practical application of the Nelson Mandela Rules, and invites them to pursue cooperation and joint action.

Draft resolution III

Technical assistance for implementing the international conventions and protocols related to counter-terrorism

The General Assembly,

Recalling all relevant United Nations resolutions on technical and legislative assistance in countering terrorism, especially the most recent ones,[20]

Reaffirming its resolution 70/291 of 1 July 2016, entitled "The United Nations Global Counter-Terrorism Strategy Review",

Recalling that terrorism in all its forms and manifestations constitutes one of the most serious threats to peaceful and secure societies and that all acts of terrorism are criminal and unjustifiable, regardless of their motivations, whenever and by whomsoever committed and that they are to be unequivocally condemned, especially when they indiscriminately target or injure civilians,

Stressing again the need to strengthen international, regional and subregional cooperation to effectively prevent and combat terrorism, in particular by enhancing the national capacity of States through the provision of technical assistance, based on the needs and priorities identified by requesting States,

Emphasizing the need to address the conditions conducive to the spread of terrorism while fully respecting the fundamental principles and purposes of the Charter of the United Nations and international law,

Recalling the Declaration and Programme of Action on a Culture of Peace[21] and the Global Agenda for Dialogue among Civilizations,[22]

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[20] General Assembly resolutions 70/148, 70/177, 70/291, 71/151 and 71/209, and Security Council resolutions 2133 (2014), 2178 (2014), 2195 (2014), 2199 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2341 (2017), 2347 (2017) and 2349 (2017).

[21] General Assembly resolutions 53/243 A and B.

[22] General Assembly resolution 56/6.

Recalling in particular its resolution 70/177 of 17 December 2015, in which it, inter alia, called upon the United Nations Office on Drugs and Crime to continue to provide technical assistance, upon request, for building the capacity of Member States to become party to and implement the international conventions and protocols related to counter-terrorism, including through targeted programmes and the training of relevant criminal justice and law enforcement officials, the development of and participation in relevant initiatives and the elaboration of technical tools and publications, in consultation with Member States,

Reiterating all aspects of the United Nations Global Counter-Terrorism Strategy[23] and the need for States to continue to implement the Strategy, as reaffirmed in its resolution 70/291,

Recognizing the importance of countering terrorism and preventing violent extremism as and when conducive to terrorism, and in that regard stressing the importance of an integrated and balanced implementation of the United Nations Global Counter-Terrorism Strategy across its four pillars, reaffirming the principal responsibility of Member States to implement the Strategy,

Noting in that regard the need to continue to counter terrorism in all its forms and manifestations, including any existing, growing or potential links, in some cases, between transnational organized crime, illicit drug-related activities, money-laundering and the financing of terrorism, in order to enhance criminal justice responses to those crimes,

Noting with appreciation the ongoing work of the United Nations Office on Drugs and Crime to support Member States in their efforts to prevent and counter terrorism in all its forms and manifestations in the crime prevention and criminal justice context, reiterating that that work needs to be done in close coordination with Member States,

Taking note of the report of the Secretary-General on technical assistance in implementing the international conventions and protocols related to terrorism,[24]

Reaffirming that terrorism in all its forms and manifestations cannot and should not be associated with any religion, nationality, civilization or ethnic group,

Recognizing the ongoing efforts of the Secretary-General to improve the coordination of the work of United Nations entities on counter-terrorism and to ensure a balanced implementation of all four pillars of the United Nations Global Counter-Terrorism Strategy,

1. *Urges* Member States that have not yet done so to consider becoming parties to the existing international conventions and protocols related to counter-terrorism, and requests the United Nations Office on Drugs and Crime, within its mandate, in close coordination with the relevant entities of the Counter-Terrorism Implementation Task Force, to continue to provide technical assistance to Member States for the ratification and legislative incorporation of those international legal instruments;

2. *Encourages* Member States to continue to promote, at the national level, effective coordination among law enforcement and other relevant entities and authorities responsible for preventing and countering terrorism, and requests the United Nations Office on Drugs and Crime, upon request and within its mandate, to continue to provide technical assistance in that regard;

3. *Urges* Member States to continue to strengthen international coordination and cooperation in order to prevent and counter terrorism in all its forms and manifestations in accordance with international law, including the Charter of the United Nations, to effectively implement relevant international instruments and United Nations resolutions, to consider entering, when appropriate, into treaties on

[23] General Assembly resolution 60/288.
[24] E/CN.15/2017/5.

extradition and mutual legal assistance, and to ensure adequate training of all relevant personnel on executing international cooperation activities, and calls upon all States to consider providing the United Nations Office on Drugs and Crime with the contact details of and other relevant information about designated authorities for its repository database;

4. *Requests* the United Nations Office on Drugs and Crime, within its mandate, to provide technical assistance, upon request, to Member States to those ends, including by continuing and enhancing its assistance related to international legal and judicial cooperation pertaining to countering terrorism, including in criminal matters related to foreign terrorist fighters, and by fostering the development of strong and effective central authorities for international cooperation in criminal matters;

5. *Stresses* the importance of the development and maintenance of effective, fair, humane, transparent and accountable criminal justice systems in accordance with applicable international law, as a fundamental basis of any strategy to counter terrorism, and requests the United Nations Office on Drugs and Crime, whenever appropriate, to take into account in its technical assistance to counter terrorism the elements necessary for building national capacity in order to strengthen criminal justice systems and the rule of law;

6. *Requests* the United Nations Office on Drugs and Crime, within its mandate in the area of countering and preventing terrorism in all its forms and manifestations, to continue to develop specialized legal knowledge and to continue to strengthen the provision of technical assistance to Member States, upon request, on effective measures for criminal justice responses addressing the prevention of terrorism in compliance with all their obligations under international law, in particular human rights, refugee and humanitarian law, in full conformity with human rights and fundamental freedoms;

7. *Calls upon* the United Nations Office on Drugs and Crime to further enhance technical assistance, upon request, for building the capacity of Member States to become party to and implement the international conventions and protocols related to counter-terrorism, including through targeted programmes and the training of relevant criminal justice and law enforcement officials, upon request, to develop their capacity to effectively respond to, prevent, investigate and prosecute terrorist acts, the development of and participation in relevant initiatives and the development of technical tools and publications, within its mandate and in close consultation with Member States;

8. *Requests* the United Nations Office on Drugs and Crime, within its mandate and in collaboration with, when appropriate, the Counter-Terrorism Committee and its Executive Directorate and the Counter-Terrorism Implementation Task Force, to continue to provide assistance to requesting Member States in addressing the threat of foreign terrorist fighters, including returning foreign terrorist fighters, through its capacity-building activities, with regard to enhancing their cooperation, developing relevant measures and developing appropriate criminal justice responses, to prevent the financing, mobilization, travel, recruitment, organization and radicalization of foreign terrorist fighters, to ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice, and to develop and implement appropriate criminal justice responses, including prosecution and effective reintegration strategies for returning foreign terrorist fighters, in compliance with relevant obligations under international and domestic law;

9. *Encourages* Member States to further identify, analyse and counter any existing, growing or potential links, in some cases, between transnational organized crime, illicit drug-related activities, money-laundering and the financing of terrorism, in order to enhance criminal justice responses to those crimes, and calls

upon the United Nations Office on Drugs and Crime, within its relevant mandates, to support, upon request, the efforts of Member States in that regard;

10. *Calls upon* Member States to strengthen border management to effectively prevent the movements of foreign terrorist fighters and terrorist groups, and requests the United Nations Office on Drugs and Crime to continue to provide technical assistance to that end to requesting States;

11. *Requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to support requesting Member States in the implementation of capacity-building programmes to strengthen crime prevention and criminal justice responses to the destruction of and trafficking in cultural heritage by terrorists;

12. *Also requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to develop its specialized legal knowledge in close consultation with Member States in order to continue to provide assistance to requesting Member States so as to prevent and counter the use of information and communications technology, in particular the Internet and other media, to plan, incite, fund or commit terrorist attacks or recruit those who commit them, and to support those Member States in effectively criminalizing, investigating and prosecuting such acts in accordance with domestic law and applicable international law on due process while fully respecting human rights and fundamental freedoms, including the right to privacy and the freedom of expression, and to encourage the use of the Internet as a tool for countering the spread of terrorism;

13. *Further requests* the United Nations Office on Drugs and Crime to provide, upon request, technical assistance for building the capacity of Member States in the development and implementation of programmes of assistance and support for victims of terrorism in accordance with relevant national legislation, with emphasis on the special needs of women and children;

14. *Requests* the United Nations Office on Drugs and Crime, through its Global Programme on Violence against Children, to continue to support requesting Member States, in accordance with relevant national legislation, in ensuring that children alleged to have, accused of having, or recognized as having infringed the law, particularly those who are deprived of their liberty, as well as child victims and witnesses of crime, are treated in a manner that observes their rights and respects their dignity in accordance with applicable international law, in particular the obligations under the Convention on the Rights of the Child,[25] and that relevant measures are taken to effectively reintegrate children formerly associated with armed groups and terrorist groups;

15. *Encourages* the United Nations Office on Drugs and Crime to assist Member States, upon request, in mainstreaming gender perspectives into criminal justice responses to terrorism, in full compliance with human rights law, in order to prevent the recruitment of women and girls as terrorists and promote the full protection of women and girls from any form of exploitation or violence perpetrated by terrorists;

16. *Urges* the United Nations Office on Drugs and Crime, in coordination with the Counter-Terrorism Committee and its Executive Directorate and the Counter-Terrorism Implementation Task Force, to continue to strengthen its cooperation with international organizations and relevant entities of the United Nations system, as well as with international, regional and subregional organizations and arrangements, in the delivery of technical assistance, whenever appropriate, and notes the ongoing joint initiatives developed by the Office with the Counter-Terrorism Committee and its Executive Directorate and the entities of the Counter-Terrorism Implementation Task Force;

17. *Expresses its appreciation* to Member States that have supported the technical assistance activities of the United Nations Office on Drugs and Crime,

[25] United Nations, *Treaty Series*, vol. 1577, No. 27531.

including through financial contributions, and invites Member States to consider making additional sustainable voluntary financial contributions and providing in-kind support, in particular in view of the need for enhanced and effective delivery of technical assistance to assist Member States with the implementation of the relevant provisions of the United Nations Global Counter-Terrorism Strategy;[23]

18. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with sufficient resources to carry out activities, within its mandate, to assist Member States, upon request, in the implementation of the relevant elements of the United Nations Global Counter-Terrorism Strategy;

19. *Also requests* the Secretary-General to submit to the General Assembly at its seventy-third session a report on the implementation of the present resolution.

B. Draft resolutions for adoption by the Economic and Social Council

2. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft resolutions:

Draft resolution I

Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons

The Economic and Social Council,

Reiterating its strong condemnation of trafficking in persons, especially women and children, which constitutes an offence and a serious threat to human dignity and physical integrity, human rights and development, and which requires the implementation of a comprehensive approach that includes measures to prevent it, to prosecute and punish the traffickers and to protect the victims, as well as a criminal justice response commensurate to the serious nature of the offence,

Recalling that trafficking in persons impairs the enjoyment of human rights and fundamental freedoms, continues to pose a serious challenge to humanity and requires a concerted international assessment and response and genuine multilateral, regional and bilateral cooperation among countries of origin, transit and destination for its eradication,

Bearing in mind that all States have an obligation to exercise due diligence to prevent trafficking in persons, investigate and punish the perpetrators and protect and assist the victims thereof, and that not doing so impairs the enjoyment of the human rights and fundamental freedoms of those victims,

Recalling all relevant United Nations resolutions and recent special meetings on trafficking in persons held by the main organs of the United Nations with a mandate relating to trafficking in persons that addressed various aspects of the crime,

Recognizing the significance of the United Nations Global Plan of Action to Combat Trafficking in Persons, adopted by the General Assembly in its resolution 64/293 of 30 July 2010, and underlining the importance of its full implementation,

Reaffirming that the Global Plan of Action was developed:

(a) To promote universal ratification of the United Nations Convention against Transnational Organized Crime[26] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[27] as well as

[26] United Nations, *Treaty Series*, vol. 2225, No. 39574.

[27] Ibid., vol. 2237, No. 39574.

other relevant international instruments that address trafficking in persons, and to reinforce the implementation of existing instruments against trafficking in persons,

(b) To help Member States to reinforce their political commitments and legal obligations to prevent and combat trafficking in persons,

(c) To promote comprehensive, coordinated and consistent responses at the national, regional and international levels to counter trafficking in persons,

(d) To promote a human rights-based and a gender- and age-sensitive approach to addressing all factors that make people vulnerable to trafficking in persons and to strengthening the criminal justice response, which are necessary to prevent trafficking in persons, protect victims and prosecute perpetrators,

(e) To raise awareness within the United Nations system and also among States and other stakeholders, such as the private sector, civil society organizations and the international and national mass media, and the public at large,

(f) To foster cooperation and coordination among all relevant stakeholders, including Member States, international organizations, civil society organizations and the private sector, and within various entities of the United Nations system, taking into account existing best practices and lessons learned,

Emphasizing the role of the United Nations Office on Drugs and Crime in the implementation of the Global Plan of Action, including as coordinator of the Inter-Agency Coordination Group against Trafficking in Persons,

Recalling that the Inter-Agency Coordination Group against Trafficking in Persons was established to foster cooperation among relevant United Nations agencies and other international organizations involved in combating human trafficking, to promote effective and efficient use of existing resources to increase tangible results in combating human trafficking in countries around the world using, to the extent possible, mechanisms already in place at the regional and national levels, and to share information, experiences and good practices relating to the activities of the partner agencies to counter trafficking with Governments, international and regional organizations, non-governmental organizations and other relevant bodies,

Recognizing that the Inter-Agency Coordination Group against Trafficking in Persons, within its mandate, contributes to the implementation of the Global Plan of Action,

Noting the activities of the working group of the Inter-Agency Coordination Group against Trafficking in Persons,[28]

Recognizing that the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, established in accordance with the Global Plan of Action, is aimed at providing victims of trafficking in persons with humanitarian, legal and financial aid through established channels of assistance, such as governmental, intergovernmental and non-governmental organizations, and welcoming contributions made to the Trust Fund by States and all other relevant stakeholders,

Welcoming the high-level meeting of the General Assembly held from 13 to 15 May 2013, during its sixty-seventh session, to appraise the progress achieved in the implementation of the Global Plan of Action, which, inter alia, evinced strong political will to step up efforts against trafficking in persons,

Taking note of the decision of the General Assembly, in its resolution 68/192 of 18 December 2013, to appraise the progress achieved in the implementation of the Global Plan of Action on a four-year basis, starting at its seventy-second session,

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[28] See the report of the Secretary-General on improving the coordination of efforts against trafficking in persons (A/71/119).

Taking note also of the decision of the General Assembly, in its resolution 70/179 of 17 December 2015, to convene, within existing resources, a high-level meeting of the Assembly, at its seventy-second session, to appraise the progress achieved in the implementation of the Global Plan of Action in order to assess achievements, gaps and challenges, including in the implementation of the relevant legal instruments,

Taking note further of the decision of the General Assembly, in its resolution 68/192, to designate 30 July as the World Day against Trafficking in Persons, to be observed every year beginning in 2014, while welcoming events held by Member States, United Nations agencies, other international organizations and civil society at the international, regional and national levels to mark the World Day in order to raise awareness of trafficking in persons and the situation of the victims of this crime and for the promotion and protection of their rights,

Welcoming the adoption by the General Assembly of the 2030 Agenda for Sustainable Development,[29] and recalling targets 5.2, 8.7 and 16.2 of the Sustainable Development Goals, which are relevant to the implementation of the Global Plan of Action,

Reaffirming in this regard the shared commitments of Member States to take measures to eradicate forced labour and end modern slavery and trafficking in persons, in the context of the implementation of the Global Plan of Action,

Recalling the importance of eliminating all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, as well as of ending abuse, exploitation, trafficking and all forms of violence against and torture of children, also in support of the implementation of the Global Plan of Action,

Recalling also the continued role of relevant regional, subregional and cross-regional mechanisms and initiatives in combating and eliminating all forms of trafficking in persons, including in the implementation of the Global Plan of Action,

1. *Urges* Member States that have not yet done so to consider ratifying or acceding to, as a matter of priority, the United Nations Convention against Transnational Organized Crime[26] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[27] taking into consideration the central role of those instruments in the fight against trafficking in persons, and also urges States parties to those instruments to implement them effectively;

2. *Urges* Member States and other stakeholders mentioned in the United Nations Global Plan of Action to Combat Trafficking in Persons,[30] and invites the Conference of the Parties to the United Nations Convention against Transnational Organized Crime and other relevant international, regional and subregional organizations, within their respective mandates, to continue to contribute to the full and effective implementation of the Global Plan of Action, including by means of strengthening cooperation and improving coordination among themselves in achieving that goal;

3. *Invites* the Working Group on Trafficking in Persons established by the Conference of the Parties to the United Nations Convention against Transnational Organized Crime to consider developing recommendations for measures within its mandate that may also further the goals of the Global Plan of Action;

4. *Invites* all Member States, relevant agencies of the United Nations system and other international organizations, as well as civil society, to continue to actively observe annually the World Day against Trafficking in Persons;

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[29] General Assembly resolution 70/1.

[30] General Assembly resolution 64/293.

5. *Takes note* with appreciation of the publication of the *Global Report on Trafficking in Persons 2016*,[31] prepared by the United Nations Office on Drugs and Crime pursuant to the Global Plan of Action, looks forward to the next such report, to be produced by the Office in 2018, and requests the Office to continue, in close cooperation and collaboration with Member States, to collect, in a balanced, reliable and comprehensive manner, information on patterns, forms and flows of trafficking in persons at the national, regional and international levels for use in those reports and to share best practices and lessons learned from various initiatives and mechanisms;

6. *Requests* the United Nations Office on Drugs and Crime, within its mandate, to continue to integrate the Global Plan of Action into its programmes and activities and to continue to provide, at the national and regional levels, technical assistance to countries, upon their request, aimed at strengthening their ability to effectively implement the Global Plan of Action, the Organized Crime Convention and the Trafficking in Persons Protocol;

7. *Invites* the United Nations Office on Drugs and Crime and other relevant agencies of the United Nations system, within the framework of the Inter-Agency Coordination Group against Trafficking in Persons, to continue to increase the activities of the Group related to the implementation of the Global Plan of Action and, to this end, to incorporate aspects of the 2030 Agenda for Sustainable Development[29] relevant to preventing and combating trafficking in persons and to consider how future activities will be coordinated and how the duplication of efforts will be avoided;

8. *Calls upon* all members of the Inter-Agency Coordination Group against Trafficking in Persons, especially those that are not members of its working group, to participate actively in the work of the Group, including at the level of principals;

9. *Invites* all members of the Inter-Agency Coordination Group against Trafficking in Persons, if they have not yet done so, to designate a focal point responsible for efforts to prevent and combat trafficking in persons;

10. *Requests* the United Nations Office on Drugs and Crime, in its capacity as fund manager of the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, to continue to encourage contributions by States and all other relevant stakeholders to the Trust Fund;

11. *Welcomes* the adoption of General Assembly resolution 71/287 of 4 May 2017 on the modalities, format and organization of the high-level meeting of the General Assembly on the appraisal of the United Nations Global Plan of Action to Combat Trafficking in Persons, to be held on 27 and 28 September 2017, during the seventy-second session of the Assembly;

12. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes described above, in accordance with the rules and procedures of the United Nations;

13. *Recalls* the request made to the Secretary-General by the General Assembly in its resolution 64/293 to include a section on the implementation by the United Nations system of the Global Plan of Action, within already existing reporting obligations to the General Assembly under the item on crime prevention and criminal justice.

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[31] United Nations publication, Sales No. E.16.IV.6.

Draft resolution II

Promoting and encouraging the implementation of alternatives to imprisonment as part of comprehensive crime prevention and criminal justice policies

The Economic and Social Council,

Recalling the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights,[32] the International Covenant on Civil and Political Rights,[33] the Convention on the Rights of the Child[34] and other relevant international legal instruments, as well as standards and norms pertaining to the treatment of offenders,

Recalling that, in the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[35] Member States expressed willingness to promote and encourage the use of alternatives to imprisonment, where appropriate, and to review or reform restorative justice and other processes in support of successful reintegration,

Noting that the availability of alternatives to imprisonment reduces prison overcrowding, promotes the rehabilitation and reintegration of offenders into society, contributes to the building of a safer community in a sustainable manner and supports the achievement of the Sustainable Development Goals,[36] in particular Goal 16,

Mindful of the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules)[37] and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[38] which recommend the greater use of non-custodial measures, with adequate safeguards for victims and offenders, including women and girls and other offenders who are vulnerable or come from disadvantaged backgrounds, while outlining key considerations for the proper design and implementation of gender-sensitive non-custodial measures,

Bearing in mind the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice,[39] in which it was recognized that the development of alternative non-custodial interventions and effective social reintegration programmes could provide an effective way of reducing the number of children in the justice system as well as reducing the risk of violence against children within the justice system,

Bearing in mind also the basic principles on the use of restorative justice programmes in criminal matters,[40] in which attention was drawn to the fact that restorative justice could provide an adequate response to crime by ensuring a proper balance between the rights of individual offenders, the rights of victims and the concern of society for public safety and crime prevention,

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[32] General Assembly resolution 217 A (III).
[33] General Assembly resolution 2200 A (XXI), annex.
[34] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[35] General Assembly resolution 70/174, annex.
[36] Contained in General Assembly resolution 70/1.
[37] General Assembly resolution 45/110, annex.
[38] General Assembly resolution 65/229, annex.
[39] General Assembly resolution 69/194, annex.
[40] Economic and Social Council resolution 2002/12, annex.

Bearing in mind further that in the basic principles on the use of restorative justice programmes in criminal matters it is highlighted that restorative justice approaches can provide an opportunity for victims to obtain reparation, feel safer and seek closure, allow offenders to gain insight into the causes and effects of their behaviour and to take responsibility in a meaningful way, and enable communities to understand the underlying causes of crime, to promote community well-being and to prevent crime,

Bearing in mind the principle that the description of offences and of legal defences is reserved for the domestic law of States and that offences are to be prosecuted and punished in conformity with that law,

Mindful of the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,[41] in which it is stressed that legal aid could play an important role in facilitating diversion and the use of community-based sanctions and measures, including non-custodial measures,

Taking note of the *Handbook of Basic Principles and Promising Practices on Alternatives to Imprisonment*,[42] prepared by the United Nations Office on Drugs and Crime, which sets out key considerations in implementing alternatives to imprisonment at each stage of the criminal justice process and strategies for developing alternatives for specific categories of offenders,

Bearing in mind the importance of promoting national sentencing policies, practices or guidelines for the treatment of offenders in which the severity of penalties for offenders is proportionate to the gravity of the offences and in which both mitigating and aggravating circumstances are taken into account, consistent with applicable international law and in accordance with national legislation,

Encouraging the development, adoption and implementation, with due regard for national, constitutional, legal and administrative systems, of alternative or additional measures with regard to conviction or punishment in cases of an appropriate nature, in accordance with applicable international law, including the three international drug control conventions, and taking into account, as appropriate, relevant United Nations standards and rules, such as the Tokyo Rules,

1. *Encourages* Member States, in implementing holistic and comprehensive crime prevention and criminal justice policies, to promote, as appropriate, alternatives to imprisonment, from the pretrial stage to the post-sentencing stage, taking into account the background, gender, age and other specific circumstances of offenders, including their vulnerability, and the objective of their rehabilitation and reintegration into society;

2. *Also encourages* Member States to develop or strengthen, as appropriate, legislative or other measures to promote and encourage the implementation of non-custodial measures and sanctions as alternatives to imprisonment, including through restorative justice and the provision of treatment and rehabilitative programmes for offenders in the community, and further encourages Member States to implement development-oriented interventions for offenders and their local communities that are aimed at addressing the underlying problems leading to offenders' contact with the criminal justice system and facilitating their reintegration into society;

3. *Further encourages* Member States, in promoting alternatives to imprisonment as part of comprehensive crime prevention and criminal justice policies, to continue to take into consideration the importance of the proportionality of sanctions;

[41] General Assembly resolution 67/187, annex.
[42] United Nations publication, Sales No. E.07.XI.2.

4. *Encourages* Member States to build capacity and provide adequate resources for the effective implementation of alternatives to imprisonment, taking into account the potential role of the community, civil society and the private sector, where appropriate, in the provision of legal aid and the treatment, social rehabilitation, reintegration and, as necessary, aftercare of offenders;

5. *Also encourages* Member States to build or enhance the capacity of criminal justice officials and practitioners, including through specialized training to promote better understanding and recognition of specific needs and conditions of offenders, while considering the risks to victims and society;

6. *Further encourages* Member States, in cooperation with academia and civil society, where appropriate and in accordance with domestic law, to promote the monitoring and evaluation of the use of alternatives to imprisonment in order to assess their effectiveness in the rehabilitation and reintegration of offenders;

7. *Calls upon* Member States and relevant international and regional organizations to enhance cooperation and coordination at all levels, including with relevant non-governmental organizations and other relevant stakeholders, where appropriate, in order to better understand, identify, develop and implement effective policies on alternatives to imprisonment, in particular through the sharing of information, knowledge and best practices, including with regard to challenges to the implementation of such policies;

8. *Requests* the United Nations Office on Drugs and Crime, together with the institutes of the United Nations crime prevention and criminal justice programme network, to continue its efforts to promote the collection, analysis and dissemination of statistical data on alternatives to imprisonment and research on relevant policies that relate to the social reintegration of offenders and reduce recidivism;

9. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes described above, in accordance with the rules and procedures of the United Nations.

C. Draft decisions for adoption by the Economic and Social Council

3. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft decisions:

Draft decision I

Improving the governance and financial situation of the United Nations Office on Drugs and Crime: extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

The Economic and Social Council, recalling its decision 2015/234 of 21 July 2015, entitled "Improving the governance and financial situation of the United Nations Office on Drugs and Crime: extension of the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime", in which it, inter alia, reaffirmed Commission on Narcotic Drugs resolution 52/13 of 20 March 2009 and Commission on Crime Prevention and Criminal Justice resolution 18/3 of 24 April 2009 and decided to renew the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime until the part of the sessions of the Commissions to be held in the first half of 2017, at which time the

Commissions would carry out a thorough review of the functioning of the working group and consider the extension of its mandate;

(a) Reaffirms the efficiency of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;

(b) Also reaffirms the role of the Commission on Narcotic Drugs as the principal policymaking organ of the United Nations on matters of international drug control and as the governing body of the drug programme of the United Nations Office on Drugs and Crime and the role of the Commission on Crime Prevention and Criminal Justice as the principal policymaking organ of the United Nations on matters of crime prevention and criminal justice and as the governing body of the crime programme of the Office;

(c) Expresses once again its continued concern about the governance and financial situation of the Office, and also expresses its awareness of the continued need to address that situation in a pragmatic, results-oriented, efficient and cooperative manner;

(d) Reaffirms Commission on Narcotic Drugs resolution 52/13 and Commission on Crime Prevention and Criminal Justice resolution 18/3, as well as Commission on Narcotic Drugs resolutions 54/10 of 25 March 2011, 54/17 of 13 December 2011, 56/11 of 15 March 2013 and 58/1 of 17 March 2015, and Commission on Crime Prevention and Criminal Justice resolutions 20/1 of 13 April 2011, 20/9 of 13 December 2011, 22/2 of 26 April 2013 and 24/1 of 22 May 2015, and decides to renew the mandate of the working group until the part of the sessions of the Commissions to be held in the first half of 2021, at which time the Commissions should carry out a thorough review of the functioning of the working group and consider the extension of its mandate;

(e) Decides that the working group should hold formal and informal meetings in line with current practice, and that the dates of those meetings should be determined by the Co-Chairs of the working group, in consultation with the Secretariat;

(f) Requests that the relevant documentation be provided to the working group not later than 10 working days before a meeting;

(g) Reiterates the importance of the development by Member States of an indicative annual workplan, taking into account inputs from the Secretariat, in order to guide the work of the working group, and approves the provisional agenda of the working group as set out below:

1. Biennial consolidated budget for the United Nations Office on Drugs and Crime.
2. Governance and financial situation of the United Nations Office on Drugs and Crime.
3. Human resources management at the United Nations Office on Drugs and Crime.
4. Mainstreaming a gender perspective into the practices, policies and programmes of the United Nations Office on Drugs and Crime.
5. Evaluation and oversight.
6. Other matters.

Draft decision II

Report of the Commission on Crime Prevention and Criminal Justice on its twenty-sixth session and provisional agenda for its twenty-seventh session

The Economic and Social Council:

(a) Takes note of the report of the Commission on Crime Prevention and Criminal Justice on its twenty-sixth session;

(b) Reaffirms Commission decision 21/1 of 27 April 2012;

(c) Approves the provisional agenda for the twenty-seventh session set out below.

Provisional agenda for the twenty-seventh session of the Commission on Crime Prevention and Criminal Justice

1. Election of officers.
2. Adoption of the agenda and other organizational matters.
3. General debate.
4. Strategic management, budgetary and administrative questions:
   (a) Work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;
   (b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme;
   (c) Working methods of the Commission;
   (d) Staff composition of the United Nations Office on Drugs and Crime and other related matters.
5. Thematic discussion on criminal justice responses to prevent and counter cybercrime in all its forms, including through the strengthening of cooperation at the national and international levels.
6. Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice:
   (a) Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;
   (b) Ratification and implementation of the United Nations Convention against Corruption;
   (c) Ratification and implementation of the international instruments to prevent and combat terrorism;
   (d) Other crime prevention and criminal justice matters;
   (e) Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies.
7. Use and application of United Nations standards and norms in crime prevention and criminal justice.
8. World crime trends and emerging issues and responses in the field of crime prevention and criminal justice.

9. Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice.

10. Contributions by the Commission to the work of the Economic and Social Council, in line with General Assembly resolution 68/1, including follow-up, review and implementation of the 2030 Agenda for Sustainable Development.

11. Provisional agenda for the twenty-eighth session of the Commission.

12. Other business.

13. Adoption of the report of the Commission on its twenty-seventh session.

Draft decision III

Appointment of two members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

4. The Economic and Social Council decides to endorse the reappointment of Jayantilal Karia (Uganda) and Taous Feroukhi (Algeria) to the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute.

D. Matters brought to the attention of the Economic and Social Council

5. The following resolutions and decisions adopted by the Commission on Crime Prevention and Criminal Justice are brought to the attention of the Economic and Social Council:

Resolution 26/1

Improving the governance and financial situation of the United Nations Office on Drugs and Crime: recommendations of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime

The Commission on Crime Prevention and Criminal Justice,

Recalling its resolution 18/3 of 24 April 2009, entitled "Improving the governance and financial situation of the United Nations Office on Drugs and Crime", in which it decided to establish a standing open-ended intergovernmental working group on governance and finance, in order to achieve the common objective of strengthening the performance and effectiveness of the United Nations Office on Drugs and Crime,

Recalling also Economic and Social Council decision 2009/251 of 30 July 2009, entitled "Frequency and duration of the reconvened sessions of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice", in which the Council decided that, starting in 2010, the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice would hold reconvened sessions on an annual basis in the second half of the year, in order to be able, pursuant to Commission on Narcotic Drugs resolution 52/13 of 20 March 2009 and Commission on Crime Prevention and Criminal Justice resolution 18/3, to consider the reports of and the recommendations proposed by the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime,

Recalling further Commission on Narcotic Drugs resolution 59/5 of 22 March 2016, in which the Commission requested the United Nations Office on Drugs and Crime to continue to support Member States, upon request, in mainstreaming a gender perspective in their policies and programmes related to the world drug problem and invited other relevant United Nations entities, within their mandates, to cooperate in that regard,

Reaffirming its role as the principal policymaking organ of the United Nations on matters of crime prevention and criminal justice and as the governing body of the crime programme of the United Nations Office on Drugs and Crime,

Reaffirming also its resolutions 20/1 of 13 April 2011, 22/2 of 26 April 2013 and 24/1 of 22 May 2015, entitled "Improving the governance and financial situation of the United Nations Office on Drugs and Crime: recommendations of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime",

Concerned about the governance and financial situation of the United Nations Office on Drugs and Crime, and aware of the need to continue addressing that situation in a pragmatic, results-oriented, efficient and cooperative manner,

1. *Takes note* of the note by the Secretariat on the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime[43] in accordance with Commission resolutions 18/3, 20/1, 22/2 and 24/1;

2. *Expresses its appreciation* to the Co-Chairs of the working group for their work and to the Secretariat for its assistance in facilitating the work of the working group, including by providing, inter alia, updates on the financial situation of the United Nations Office on Drugs and Crime and briefings and presentations on thematic and regional programmes and global projects and on evaluation and oversight issues to the working group, and requests the Secretariat to continue providing such necessary assistance, bearing in mind the limited resources available to it;

3. *Welcomes* the established practice of having a clear schedule of meetings and programme of work for the working group, requests that a draft agenda for each meeting of the working group be distributed by the Secretariat no later than 10 working days before the meeting, accompanied by all the relevant documents for the meeting, and reiterates the importance of the development of an indicative annual workplan by Member States, taking into account input from the Secretariat;

Continuous support for strengthening the financial situation of the United Nations Office on Drugs and Crime

4. *Recalls* that the working group has, on several occasions, discussed fundraising issues, so as to ensure adequate, predictable and stable funding, and has also discussed ways to achieve a sustainable balance between core and non-core funding for the United Nations Office on Drugs and Crime, so as to ensure delivery capacity and the sustainability of its thematic, global and regional programmes;

5. *Also recalls* that the working group has been considering the implementation of Commission on Narcotic Drugs resolutions 58/12 of 17 March 2015 and 59/9 of 2 December 2016, and of Commission on Crime Prevention and Criminal Justice resolutions 24/3 of 11 December 2015 and 25/4 of 2 December 2016, and has been briefed on the transition to the full cost recovery funding model and on the implementation of Umoja;

6. *Requests* the working group to continue examining and discussing the funding situation and financial management of the United Nations Office on Drugs and Crime, inter alia, by:

[43] E/CN.7/2017/3-E/CN.15/2017/3 and Add.1

(a) Receiving reports on, and facilitating, the resource mobilization process to promote global and regional programmes of the United Nations Office on Drugs and Crime, stressing their resource requirements, and enhancing funding predictability in line with its biennial strategic frameworks;

(b) Continuing to discuss with the United Nations Office on Drugs and Crime efforts to further encourage donors to provide general-purpose funding, including by further increasing communication and the transparency and quality of reporting, and continuing to discuss the reasons for the low level of general-purpose funding, with a view to restoring an adequate balance between general-purpose and special-purpose funds;

(c) Continuing to study the feasibility, progress and impact of the implementation of full cost recovery and the flexible application and allocation of programme support costs, including how to best apply programme support costs to field offices, with a view to increasing the effectiveness and results of the technical assistance programmes of the Office;

(d) Receiving reports on the impact of the implementation of Umoja on the delivery of the Office's programmes, as well as on savings achieved through that implementation;

Continuous support for promoting an integrated programme approach

7. *Recalls* that the working group has been following the progress made by the Office in implementing an integrated programming approach aimed at strengthening the links between normative mandates and operational technical assistance and improving linkages between policy, strategic planning, evaluation, programmatic work, mobilization of resources and partnerships with all relevant stakeholders;

8. *Requests* the working group to:

(a) Continue promoting regular dialogue among all Member States, as well as with the Office, on the planning and formulation of the operational activities of the Office, especially with regard to its thematic, global and regional programmes, in line with its biennial strategic frameworks;

(b) Continue receiving information from the Office on progress made in the implementation of country, regional, global and thematic programmes, as well as on progress made with regard to integrating lessons learned and recommendations from evaluations within and across regions, ensuring complementarities among programmes and their alignment with the biennial strategic frameworks of the Office;

(c) Receive regular updates from the United Nations Office on Drugs and Crime on its planned research activities, including thematic, regional and country updates, and publications and the related timelines, including the criteria and methodology that inform the research activities;

(d) Continue discussing with the Office the implementation of results-based management and budgeting;

Continuous support for promoting a culture of evaluation within the United Nations Office on Drugs and Crime at all stages of programme planning, development and implementation, and consideration of results achieved

9. *Recalls* that the working group has been shown numerous presentations on evaluation findings, on which occasions participants have reiterated the importance of having a sustainable, effective and operationally independent corporate evaluation function at the United Nations Office on Drugs and Crime that is focused on the implementation, performance and impact of integrated programmes and their consistency with mandates of the Office;

10. *Requests* the working group to invite the Independent Evaluation Unit to:

(a) Continue providing the working group with findings of the evaluations of the programmes of the United Nations Office on Drugs and Crime;

(b) Continue promoting a culture of evaluation throughout the Office at all stages of programme planning, development and implementation;

(c) Continue working with the Office to monitor the implementation of recommendations made by relevant oversight bodies;

(d) Continue working with the Office to increase coordination between evaluation, audit and other oversight bodies, with the aim of building a continuum of oversight of projects and programmes of the Office;

Continuous support for strengthening human resources governance to improve gender balance and geographical representation

11. *Recalls* that the working group has been discussing the question of geographical representation and gender balance in the composition of the staff of the United Nations Office on Drugs and Crime as part of its efforts to improve the governance of the Office;

12. *Requests* the working group to:

(a) Continue addressing the issue of gender balance and wide geographical representation and its evolution in order to discuss possible measures for further improvement in this area by, inter alia, intensifying outreach efforts;

(b) Continue receiving comprehensive updates, including in a disaggregated way, on the composition of the staff and the recruitment policies of the Office and on steps taken to achieve further improvements in this area;

(c) Invite the Office to provide to the working group updates on best practices and recruitment policies within the United Nations Secretariat aimed at improving geographical representation and gender balance;

Continuous support for gender mainstreaming in the policies and programmes of the United Nations Office on Drugs and Crime

13. *Recalls* that the working group has been discussing the question of gender mainstreaming in the policies and programmes of the Office, as part of its efforts to align its work with the Office's guidance note on gender mainstreaming;

14. *Requests* the working group to:

(a) Continue addressing the question of gender mainstreaming in the policies and programmes of the Office in order to discuss possible measures for further improvement in this area;

(b) Continue receiving updated and comprehensive information on the ways in which gender is mainstreamed into the policies and programmes of the Office.

Resolution 26/2

Ensuring access to measures for the prevention of mother-to-child transmission of HIV in prisons

The Commission on Crime Prevention and Criminal Justice,

Recalling all standards and norms in crime prevention and criminal justice developed at the request of the Commission on Crime Prevention and Criminal Justice and adopted or recommended by the General Assembly, or adopted by a United Nations congress on crime prevention and criminal justice, and recognizing

that the Universal Declaration of Human Rights[44] is a source of inspiration for the United Nations standards and norms in crime prevention and criminal justice,

Bearing in mind the need for vigilance with regard to the specific situation of children, juveniles and women in the administration of justice, in particular while they are deprived of their liberty, as recommended in the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[45]

Emphasizing the need to give priority to alternatives to imprisonment for women who have come into contact with the criminal justice system, as recommended in the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules),[46] and emphasizing also that, in appropriate cases, and when feasible, when sentencing or deciding on pretrial measures for a pregnant woman, non-custodial measures should be preferred,

Recalling General Assembly resolution 58/183 of 22 December 2003, in which the Assembly invited Governments, relevant international and regional bodies, national human rights institutions and non-governmental organizations to devote increased attention to the issue of women in prison, including the children of women in prison, with a view to identifying the key problems and the ways in which they can be addressed,

Recalling also the recommendation contained in the outcome document of the thirtieth special session of the General Assembly, entitled "Our joint commitment to effectively addressing and countering the world drug problem",[47] on ensuring non-discriminatory access to health, care and social services in prevention, primary care and treatment programmes, including those offered to persons in prison or pretrial detention, which are to be on a level equal to those available in the community, and ensuring that women, including detained women, have access to adequate health services and counselling, including those particularly needed during pregnancy,

Reaffirming the principal role of the Commission of Narcotic Drugs as the policymaking body of the United Nations with prime responsibility for drug control matters, and that of the United Nations Office on Drugs and Crime as the leading entity in the United Nations system for addressing and countering the world drug problem,

Reaffirming also that the United Nations Office on Drugs and Crime, within the Joint United Nations Programme on HIV/AIDS Division of Labour,[48] is the convening agency for addressing HIV and drug use and HIV in prisons, in collaboration with the World Health Organization, other co-sponsors and the secretariat of the Joint Programme,

Underlining the recommendation by the World Health Organization that special consideration should be given to ensuring that pregnant female prisoners have ready access to services for the prevention of mother-to-child transmission of HIV, as women may face greater barriers to HIV testing, counselling, care and treatment in prison than outside prison,[49]

Taking note with concern of research findings showing that the female prison population increased by approximately 50 per cent between 2000 and 2014,[50] compared with an increase of approximately 18 per cent in the total world prison population,

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[44] General Assembly resolution 217 A (III).

[45] General Assembly resolution 65/229, annex.

[46] General Assembly resolution 45/110, annex.

[47] General Assembly resolution S-30/1, annex.

[48] *UNAIDS Division of Labour: Consolidated Guidance Note — 2010* (Geneva, 2011).

[49] World Health Organization, *Consolidated Guidelines on HIV Prevention, Diagnosis, Treatment and Care for Key Populations: 2016 Update* (Geneva, 2016).

[50] Roy Walmsley, "World Female Imprisonment List", 3rd ed., World Prison Brief (London, Institute for Criminal Policy Research, Birkbeck, University of London, 2015).

Taking note of *The Gap Report*, published by the Joint United Nations Programme on HIV/AIDS in 2014, indicating that HIV infection rates are particularly high among women in prison in several countries, apparently owing to the combination of gender inequality, stigma and discrimination and the overrepresentation of women who inject drugs,

Noting that many national HIV prevention, testing and treatment programmes provide insufficient access to services for women, adolescent girls and key populations that epidemiological evidence shows are globally at higher risk of HIV, such as prisoners, who are five times more likely to be living with HIV than adults in the general population,

Acknowledging decision 7.2 of the Programme Coordinating Board of the Joint United Nations Programme on HIV/AIDS at its thirty-seventh meeting, in which the Board requested the Joint Programme to support Member States and civil society in strengthening a human rights and public health approach to prison health and accelerating efforts to increase access to knowledge and evidence-based HIV prevention, treatment and care services for people of all ages in prisons, including for women and girls,

Acknowledging also the importance of providing women in prison with access to comprehensive health services aimed at HIV prevention and treatment, including the prevention of mother-to-child transmission of HIV, and of making available the sexual and reproductive health services necessary for HIV prevention and, for those living with HIV, free and continued antiretroviral therapy, as such therapy is the most effective method of preventing mother-to-child transmission of HIV and as securing the health of women improves the chances of babies being born free of HIV and increases child survival,

Acknowledging further the progress made since the launch of the Global Plan towards the Elimination of New HIV Infections among Children by 2015 and Keeping Their Mothers Alive: 2011-2015, including the fact that an estimated 85 countries are within reach of elimination of mother-to-child transmission, while noting that continued efforts are greatly needed,

Noting with appreciation that the number of new HIV infections globally among children declined by 50 per cent between 2010 and 2015 owing to the effective roll-out of interventions to prevent the vertical transmission of HIV,[51]

Noting with concern that programmes and interventions to eliminate new HIV infections among children and to keep their mothers alive have often not addressed the needs of women in prisons, and that prisons are often excluded from the national monitoring of mother-to-child transmission of HIV,

Acknowledging evidence that shows that prompt HIV treatment protects health and reduces the risk of transmission, and recognizing that the World Health Organization updated its guidelines in 2016, recommending immediate treatment of all persons diagnosed with HIV,

1. *Urges* Member States, in line with the 2030 Agenda for Sustainable Development,[52] to strengthen their efforts and take measures aimed at promoting peaceful and inclusive societies, to ensure healthy lives and promote well-being for all and to achieve gender equality, in order to contribute to the elimination of transmission of HIV from mother to child in prisons, and to this end to strive to achieve Sustainable Development Goal 16, Goal 3 and Goal 5;

2. *Encourages* collaboration between justice, health and other relevant ministries and sectors in relation to HIV and health in prisons to ensure the highest attainable standard of health for people in prison;

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[51] Four countries (Armenia, Belarus, Cuba and Thailand) were certified by the World Health Organization as having eliminated the vertical transmission of HIV by 2016; other countries are in the process of doing so.

[52] General Assembly resolution 70/1.

3. *Urges* Member States to provide comprehensive health screening, including voluntary and confidential HIV testing, taking into account international guidelines and domestic legislation, on entry to prison and subsequently as and when required for female prisoners, so as to determine primary health-care needs and other gender-specific health-care needs, consistent with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[45] particularly rule 6 thereof;

4. *Also urges* Member States, as noted in the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),[53] to ensure that prisoners enjoy the same standards of health care as are available in the community, noting that they should have access to necessary health-care services free of charge and without discrimination on the grounds of their legal status;

5. *Encourages* Member States, mindful of the need to respect the confidentiality of records, to ensure that prison health-care services, including treatment for substance use disorders, for persons living with HIV, for pregnant women and for children, are organized in such a way that the services follow patients in all criminal justice and health institutions, in close relationship to the general public health administration and in a way that ensures referral systems between prison and other relevant services, including in the community, in order to secure continuity of treatment and care;

6. *Also encourages* Member States, in developing responses to HIV/AIDS for persons in pretrial and post-trial detention, to ensure that programmes and services are responsive to the specific needs of women, including comprehensive prevention of mother-to-child transmission,[54] and that, in this context, prison authorities encourage and support the development of initiatives on HIV prevention, treatment and care, such as, where relevant, peer-based education;

7. *Urges* Member States to provide education and information about preventive health-care measures and treatment, in particular on HIV and associated diseases and conditions, to prisoners;

8. *Calls upon* Member States to ensure that women's prisons make accommodation for all relevant prenatal and postnatal care and treatment, including for the prevention of transmission of HIV from mother to baby, free of charge, and by providing adequate food in a timely manner, a healthy environment and regular exercise opportunities for pregnant women, babies and breastfeeding mothers;

9. *Encourages* Member States, when necessary and appropriate, to suspend detention for female prisoners during pregnancy and while they are lactating, taking into account the gravity of the offence, the availability of adequate health-care services, including for HIV prevention and treatment, and the best interests of the child;

10. *Calls upon* Member States, when taking steps to eliminate mother-to-child transmission of HIV, pursuant to the commitments contained in the Political Declaration on HIV and AIDS: On the Fast Track to Accelerating the Fight against HIV and to Ending the AIDS Epidemic by 2030,[55] to ensure that such steps are also taken for persons in prisons in order to qualify for World Health Organization certification of elimination of mother-to-child HIV transmission, and invites the World Health Organization to include measures on preventing mother-to-child

[53] General Assembly resolution 70/175, annex.

[54] Comprehensive prevention of mother-to-child transmission comprises a four-prong strategy for stopping new HIV infections among children and keeping mothers alive. The four prongs are (a) primary prevention of HIV infection among women of childbearing age, (b) prevention of unintended pregnancies among women living with HIV, (c) prevention of HIV transmission from mothers living with HIV to infants, and (d) provision of continuous care and treatment for infected mothers, partners and their children. See World Health Organization, *Strategic Approaches to the Prevention of HIV Infection in Infants: Report of a WHO Meeting, Morges, Switzerland, 20-22 March 2002* (Geneva, 2003).

[55] General Assembly resolution 70/266, annex.

transmission of HIV in prisons when assessing whether a country can be certified as having eliminated mother-to-child transmission;

11. *Encourages* Member States, consistent with rule 32, subparagraphs 1 (b) and (c), of the Nelson Mandela Rules and rule 8 of the Bangkok Rules, to ensure that confidentiality and informed consent are respected with respect to HIV-related treatment of persons, especially women in prisons, including when providing necessary sexual and reproductive health services relevant to HIV and when treating other blood-borne diseases related to HIV;

12. *Encourages* Member States to provide training and supervision relating to the prevention of mother-to-child transmission of HIV for all relevant prison and health- and social-care professionals working with women in prisons, consistent with relevant and applicable international guidelines, domestic standards and clinical protocols;

13. *Requests* the United Nations Office on Drugs and Crime, in collaboration with relevant co-sponsors of the Joint United Nations Programme on HIV/AIDS, the secretariat of the Joint Programme and relevant experts, and in consultation with Member States, to develop measures for monitoring the epidemiological trends in mother-to-child transmission in prisons and the availability of service provision to prevent such transmission, including by developing tools for data collection, and invites Member States to provide national data, with due respect for the confidentiality of the health information of persons in prison;

14. *Requests* the United Nations Office on Drugs and Crime, as the convening agency of the Joint United Nations Programme on HIV/AIDS for matters relating to HIV/AIDS in prisons, in collaboration with relevant co-sponsors of the Joint Programme, the secretariat of the Joint Programme and relevant experts, and in consultation with Member States, to develop a technical guidance document on implementing measures to prevent mother-to-child transmission of HIV in prisons, based on international guidelines, in particular World Health Organization guidelines relevant to the prevention of mother-to-child transmission, and to support Member States, upon their request, in close cooperation with relevant United Nations entities and other relevant stakeholders, in their efforts to increase their capacity to eliminate mother-to-child transmission of HIV in prisons;

15. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes described above, in accordance with the rules and procedures of the United Nations.

Resolution 26/3

Mainstreaming a gender perspective into crime prevention and criminal justice policies and programmes and into efforts to prevent and combat transnational organized crime

The Commission on Crime Prevention and Criminal Justice,

Reaffirming the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[56] and welcoming the efforts made by Member States to achieve the aims and objectives of the Convention and comply with its provisions,

Recalling the particular emphasis placed on taking into account the special needs of women and children in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Organized Crime Convention,

[56] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

Recalling also the 2030 Agenda for Sustainable Development,[57] in which Member States acknowledged that gender equality and the empowerment of women and girls will make a crucial contribution to progress across all the Sustainable Development Goals and targets thereof, and that the systematic mainstreaming of a gender perspective into the implementation of the Agenda is crucial,

Recognizing that the primary responsibility for crime prevention and criminal justice, including mainstreaming a gender perspective, rests with Member States,

Noting the twenty-second anniversary of the adoption of the Beijing Declaration and Platform for Action at the Fourth World Conference on Women,[58] held in 1995, and the associated Global Leaders' Meeting on Gender Equality and Women's Empowerment: A Commitment to Action, held in September 2015, in conjunction with the United Nations summit for the adoption of the post-2015 development agenda, and taking note of the Programme of Action of the International Conference on Population and Development,[59] adopted in 1994,

Welcoming the progress made in the implementation of the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[60] adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, in which Member States reaffirmed their commitment to mainstreaming a gender perspective into criminal justice systems and to implementing national strategies to promote the full protection of women and girls from all acts of violence,

Recalling General Assembly resolution 70/133 of 17 December 2015, in which the Assembly encouraged the Economic and Social Council and its functional commissions, particularly in the light of the cross-cutting nature of gender equality and the empowerment of women, to make further progress in the integration of a gender perspective into their work,

Recalling also Economic and Social Council resolution 2016/2 of 2 June 2016, in which the Council urged intensifying and continuing efforts to mainstream a gender perspective, including increasing resource allocations commensurate with gender equality goals, into all policies and programmes of the United Nations, in accordance with all relevant United Nations resolutions,

Recalling further all relevant General Assembly resolutions addressing the mainstreaming of a gender perspective and the specific needs of men and women in the field of crime prevention, criminal justice and transnational organized crime, including the intensification of efforts to eliminate all forms of violence,[61] action against the gender-related killing of women and girls,[62] women in development[63] and trafficking in women and girls,[64]

Recalling relevant United Nations standards and norms in crime prevention and criminal justice, such as the Guidelines for the Prevention of Crime,[65] the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice,[66] the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures

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[57] General Assembly resolution 70/1.

[58] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[59] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[60] General Assembly resolution 70/174.

[61] General Assembly resolution 69/147.

[62] General Assembly resolution 70/176.

[63] General Assembly resolution 70/219.

[64] General Assembly resolution 71/167.

[65] Economic and Social Council resolution 2002/13, annex.

[66] General Assembly resolution 65/228, annex.

for Women Offenders (the Bangkok Rules)[67] and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),[68]

Considering the importance of adopting effective policies, programmes and actions to prevent and confront crime, violence and insecurity, including measures for the protection of individuals and groups in vulnerable situations,

Welcoming the ongoing efforts by Member States to promote, at the national level, the mainstreaming of a gender perspective into crime prevention and criminal justice policies and programmes,

Appreciating the efforts and work of the United Nations Entity for Gender Equality and the Empowerment of Women in working towards achieving gender equality,

Recalling its request to the Executive Director of the United Nations Office on Drugs and Crime in paragraph 21 of its resolution 24/3 of 11 December 2015, in line with General Assembly resolution 69/251 of 29 December 2014, and underscoring that efforts in that regard within the Office can contribute to mainstreaming a gender perspective into crime prevention and criminal justice policies and programmes,

Recognizing the important role that may be played by relevant civil society actors in preventing and countering crime, including transnational organized crime, in particular its gender-related aspects,

1. *Invites* States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Transnational Organized Crime and the Protocols thereto[56] and to effectively implement their provisions;

2. *Calls upon* Member States, where appropriate, to take a gender perspective into account in the implementation of the Organized Crime Convention and the Protocols thereto by considering how crime, including transnational organized crime, has different impacts on men and women, in order to ensure that policies, programmes and actions to address crime are effective;

3. *Also calls upon* Member States to continue to appropriately mainstream a gender perspective into their criminal justice systems and into efforts to prevent and combat crime, including transnational organized crime, including by developing and implementing national criminal justice legislation, policies and programmes that take into account the important role and specific needs of women and girls and by promoting gender-specific measures in crime prevention and protection policies, and encourages Member States to solicit contributions from women and girls to the development and implementation of related national legislation, policies and programmes;

4. *Recognizes* the need to develop and implement appropriate and effective national strategies and plans for the advancement of women in criminal justice systems and institutions at the leadership, managerial and other levels, stresses the need for government institutions, including those in the criminal justice and penal systems and in the legislative system to be gender-sensitive, and also stresses the need for the continued promotion of the full participation of women in such institutions;

5. *Requests* Member States to implement a victim-centred approach to preventing and countering all forms of transnational organized crime, notably trafficking in persons, including for the purposes of prostitution or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs, and to make every effort to bring the perpetrators of such crime to justice;

6. *Invites* Member States to implement effective measures to protect the human rights of smuggled migrants, particularly women and children, and to make

[67] General Assembly resolution 65/229, annex.
[68] General Assembly resolution 70/175, annex.

every possible effort to bring transnational organized criminal groups, including those responsible for the smuggling of migrants, to justice;

7. *Calls upon* States parties to implement the gender-specific elements of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Organized Crime Convention, such as the commitment, under article 9, to establish comprehensive policies, programmes and other measures to protect women and children who have been trafficked from revictimization;

8. *Urges* Member States to enhance measures for protecting and empowering victims of violence against women in the criminal justice system, in a manner consistent with domestic legislation and, as appropriate, with the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power[65] and the updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice,[66] by adopting a comprehensive, coordinated, systematic and sustained approach to violence against women that respects the human rights of victims, witnesses and offenders and their right to due process, and promotes victim safety while ensuring offender accountability;

9. *Also urges* Member States to take measures to prevent, investigate, prosecute and punish acts of violence against women and girls, in particular gender-related killing, in accordance with national laws, and to act at all levels to end impunity for those responsible for committing such heinous crimes against women and girls;

10. *Further urges* Member States to promote integrated and comprehensive strategies to prevent all forms of violence against women and girls, including the gender-related killing of women and girls, that include early and continuous education programmes, community mobilization and awareness-raising, in order to counter attitudes and social factors that foster, justify or tolerate any violence against women and girls;

11. *Encourages* Member States to take into consideration the specific needs and circumstances of women subject to arrest, detention, prosecution, trial or the execution of a sentence to ensure that law enforcement, the judiciary and prison staff are trained on procedures related to gender sensitivity, victim identification and women's rights, to implement and enforce relevant policies and regulations in this area and to take appropriate measures to bring to justice perpetrators of abuse of women in custody or in prison settings, drawing, as appropriate, on the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[67] the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules)[70] and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules);[68]

12. *Urges* Member States, consistent with the Bangkok Rules, the Nelson Mandela Rules, the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems and Commission on Crime Prevention and Criminal Justice resolution 25/2 of 27 May 2016, to ensure that women in contact with the criminal justice system, particularly during police interrogation and while in police detention, are informed of their rights in criminal proceedings, and have access to legal aid, as appropriate, and in accordance with national laws;

13. *Emphasizes* that, without prejudice to the principle of equality of all before the law, when sentencing or deciding on pretrial measures for a pregnant woman or a woman who is a child's sole or primary caretaker, non-custodial measures and other alternatives to incarceration should be preferred where possible

[65] General Assembly resolution 40/34, annex.
[66] General Assembly resolution 45/110, annex.

and appropriate, with custodial sentences being considered when the offence is serious or violent;

14. *Encourages* Member States to promote gender-sensitive measures in the prison system, including in the rehabilitation and reintegration of women offenders into society, taking into consideration the Bangkok Rules;

15. *Also encourages* Member States to collect quantitative and qualitative data, disaggregated by age, sex and other relevant factors, and to mainstream a gender perspective into their research and analysis on transnational organized crime, with a view to addressing the knowledge gap on women and transnational organized crime in order to ensure that criminal justice policies and programmes fully take into account all available evidence;

16. *Encourages* Member States to enhance cooperation under the Organized Crime Convention and the Protocols thereto, and to exchange information and best practices on policies that take into account the specific needs of women and girls, including when providing information on their implementation of the Convention and the Protocols thereto;

17. *Requests* the United Nations Office on Drugs and Crime to continue to support Member States, upon request, in mainstreaming a gender perspective into their policies and programmes related to crime prevention and criminal justice and in preventing and combating transnational organized crime, and invites other relevant United Nations entities, within their mandates, to cooperate in this regard;

18. *Also requests* the United Nations Office on Drugs and Crime to continue to mainstream a gender perspective into all its practices, policies, programmes and tools related to transnational organized crime and to contribute appropriately, within its mandate, to the Sustainable Development Goals and the targets contained in the 2030 Agenda for Sustainable Development;[17]

19. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes described above, in accordance with the rules and procedures of the United Nations.

Resolution 26/4

Strengthening international cooperation to combat cybercrime

The Commission on Crime Prevention and Criminal Justice,

Recalling General Assembly resolution 65/230 of 21 December 2010, in which the Assembly endorsed the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World and requested the Commission on Crime Prevention and Criminal Justice to establish, in line with paragraph 42 of the Salvador Declaration, an open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector, including the exchange of information on national legislation, best practices, technical assistance and international cooperation, with a view to examining options to strengthen existing and to propose new national and international legal or other responses to cybercrime,

Recalling also General Assembly resolution 70/174 of 17 December 2015, in which the Assembly endorsed the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation, in which Heads of State and Government noted the activities of the open-ended intergovernmental expert group to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector and invited

the Commission on Crime Prevention and Criminal Justice to consider recommending that the expert group continue, based on its work, to exchange information on national legislation, best practices, technical assistance and international cooperation, with a view to examining options to strengthen existing responses and to propose new national and international legal or other responses to cybercrime,

Recalling further its resolution 22/7 of 26 April 2013, in which it took note of the comprehensive study on cybercrime prepared by the United Nations Office on Drugs and Crime under the auspices of the Expert Group to Conduct a Comprehensive Study on Cybercrime and the discussion on its content at the second meeting of the Expert Group, held in Vienna from 25 to 28 February 2013, at which diverse views had been expressed regarding the content, findings and options presented in the study, and requested the Expert Group, with the assistance of the Secretariat, as appropriate, to continue its work towards fulfilling its mandate,

Recalling its resolution 22/8 of 26 April 2013, in which it took note of the outcome of the second meeting of the Expert Group, in particular that in discussions concerning the study it had been noted that there was broad support for capacity-building and technical assistance and for the role of the United Nations Office on Drugs and Crime in that regard,

Welcoming the efforts of the United Nations Office on Drugs and Crime to promoting effective responses to the threat of cybercrime, including through the Global Programme on Cybercrime,

Welcoming also the outcome of the third meeting of the Expert Group and its recommendations,

Expressing appreciation for the work done thus far by the Expert Group,

1. *Requests* the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime, charged with conducting a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector, to continue its work and, in so doing, to hold periodic meetings and function as the platform for further discussion on substantive issues concerning cybercrime, keeping pace with its evolving trends, and in line with the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World[71] and the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[72] and also requests the Expert Group to continue to exchange information on national legislation, best practices, technical assistance and international cooperation, with a view to examining options to strengthen existing responses and propose new national and international legal or other responses to cybercrime;

2. *Decides* that the Expert Group will dedicate its future meetings to examining, in a structured manner, each of the main issues dealt with in chapters three through eight of the study, without prejudice to other issues included in the mandate of the Expert Group, taking into account, as appropriate, contributions received pursuant to Commission resolution 22/7 and the deliberations of the previous meetings of the Expert Group:

- Chapter 3: Legislation and frameworks
- Chapter 4: Criminalization
- Chapter 5: Law enforcement and investigations
- Chapter 6: Electronic evidence and criminal justice

[71] General Assembly resolution 65/230, annex.
[72] General Assembly resolution 70/174, annex.

- Chapter 7: International cooperation (including sovereignty, jurisdiction and international cooperation, formal international cooperation, informal international cooperation, and extraterritorial evidence)

- Chapter 8: Prevention

5. *Encourages* the Expert Group to develop possible conclusions and recommendations for submission to the Commission;

6. *Requests* the United Nations Office on Drugs and Crime to periodically collect information on new developments, progress made and best practices identified;

7. *Invites* the Expert Group to provide advice, based on its work, to the United Nations Office on Drugs and Crime, including with regard to the Global Programme on Cybercrime, in order to assist, without prejudice to other issues included in the mandate of the Expert Group, in identifying high-priority capacity-building needs and effective responses, without prejudice to the status of the Commission as the governing body of the crime programme of the Office;

8. *Decides* to hold the future sessions of the Expert Group within existing resources and without prejudice to other mandated activities of the Commission, and invites Member States and other donors to consider providing extrabudgetary resources for the purposes of the present resolution, including with regard to the work of the Expert Group and the Global Programme on Cybercrime, in accordance with the rules and procedures of the United Nations;

9. *Requests* the Expert Group to report to the Commission at its next session on progress in its work.

Decision 26/1

Report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

6. At its 9th meeting, on 25 May, the Commission on Crime Prevention and Criminal Justice decided to transmit the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute on the major activities of the Institute (E/CN.15/2017/8) to the Economic and Social Council, in accordance with article IV, paragraph 3 (e), of the statute of the Institute (Economic and Social Council resolution 1989/56, annex).

Chapter II

Strategic management, budgetary and administrative questions

7. At its 6th meeting, on 24 May 2017, the Commission on Crime Prevention and Criminal Justice considered agenda item 3, which read as follows:

"Strategic management, budgetary and administrative questions:

"(a) Work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;

"(b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme;

"(c) Working methods of the Commission;

"(d) Staff composition of the United Nations Office on Drugs and Crime and other related matters."

8. For its consideration of agenda item 3, the Commission had before it the following documents:

(a) Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2017/2-E/CN.15/2017/2);

(b) Note by the Secretariat on the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (E/CN.7/2017/3-E/CN.15/2017/3 and Add.1).

9. The Director of the Division for Management made an introductory statement. The observer for Spain, in his capacity as co-chair of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (UNODC), also made an introductory statement.

10. Statements were made by the observers for the Bolivarian Republic of Venezuela (on behalf of the Group of Latin American and Caribbean States) and the Sudan (on behalf of States members of the League of Arab States).

11. Under agenda item 3, statements were made by the representatives of Thailand, Japan, Colombia, Canada, China, Brazil, the United States of America and India.

12. A statement was also made by the observer for Algeria.

A. Deliberations

13. Several speakers expressed appreciation for the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC in enhancing the transparency and accountability of the Office and strengthening cooperation between Member States and UNODC on programmatic, financial and other relevant issues. The role of the working group in advocating the importance of UNODC regional, country and global programmes was emphasized by some other speakers, while several speakers also commented on the role of the working group in continuing consultations with UNODC on financial management and governance matters. Appreciation was expressed for the Secretariat's efforts to provide useful and timely updates on its activities. Speakers expressed support for the extension of the mandate of the working group for four years and appreciation to the co-chairs of the working group for their work.

14. Many speakers underlined the importance and relevance of UNODC technical cooperation activities and called for a further expansion of regional, country and global programmes in, inter alia, the Middle East and North Africa, Latin America and the Caribbean and South-East Asia. It was suggested that the Office could increase the effectiveness of its programmes through a stronger link to research. The need to expand programmes in the areas of cybercrime, research, drug control, alternative development and border control cooperation was also mentioned.

15. Several speakers expressed concern regarding the financial situation of UNODC, in particular the decrease in general-purpose funding, and called upon donors to increase their unearmarked contributions. Speakers noted the heavy reliance of UNODC on extrabudgetary resources, the risk of UNODC becoming too donor-driven and the need to diversify the UNODC donor base.

16. Support was expressed for improving and streamlining the UNODC full cost recovery funding model. UNODC was asked to provide full disclosure of the calculation basis of the full cost recovery rates. Some speakers called for a continued evaluation and assessment of the impact of the funding model of full cost recovery on administrative practices, office viability, programme delivery and the sustainability of the UNODC field office network. It was suggested by one speaker that the full cost recovery principles be applied to both field offices and headquarters. It was noted that, if well applied, the use of full cost recovery could ensure quality programmes and a sound financial future. UNODC was cautioned by some speakers regarding the risk of losing its competitiveness due to the high full cost recovery charges in some regions.

17. Some speakers stressed the need to distribute programme support cost income between headquarters and field offices on the basis of clear criteria and in an equitable manner. They called for enhanced transparency and review of the policy of allocation of programme support cost income, including to field offices and substantive functions in Vienna, and proposed further consultations on this matter at the next meetings of the working group.

18. Reference was made to the introduction of Umoja, the continuing difficulties posed by its implementation, and its impact on the delivery of UNODC programmes, particularly in the field. UNODC was encouraged to continue its work on improving Umoja functionalities, particularly in tracking donor funding and project status. UNODC was also requested to continue to report on the status of implementation of Umoja and its impact on programme delivery, and to report on the training of staff.

19. Several speakers expressed support for a culture of results-based management, monitoring and evaluation and stressed the need for high-quality programme and project reporting based on the monitoring of data, which would, in turn, allow for accountability and evaluation. UNODC was encouraged to incorporate evaluation reporting into Umoja in order to ensure that the results of evaluation could be fed into programme planning.

20. It was noted that while there had been some improvement in the gender balance of UNODC staff, much remained to be done regarding equitable geographic representation, and that both issues should be treated as equally essential pillars of the human resources strategy. Special efforts should be made to recruit candidates from developing countries and from unrepresented and underrepresented countries. Many speakers expressed concern that some regions were not adequately represented among UNODC staff. It was noted that developing countries had qualified professionals with technical skills and practical experience and that it was feasible for UNODC to recruit such candidates within available resources and using its network of field offices. At the same time, reference was made to article 101 of the Charter of the United Nations that the paramount consideration in selecting candidates should be to secure the highest standards of efficiency, competence and integrity. One speaker expressed the view that Member States could contribute to improving the situation by publicizing vacancy announcements to national

authorities and the general public through official channels and social media. It was noted that continued efforts were required to improve the gender balance, in particular at the senior level, while giving full support to internal female candidates by providing training opportunities and a family-friendly environment at UNODC headquarters and in field offices. UNODC was requested to continue to provide disaggregated data on the staff composition of UNODC.

21. Regarding the working methods of the Commission, several speakers noted that the agenda of the Commission should include an item entitled "General debate" and made proposals for the establishment of a list of speakers. Reference was made to the need for the Commission to take timely decisions on its agenda items, including the themes of its thematic discussions, and the need to capitalize on the presence of experts from State capitals at the Commission's sessions during the consideration of key substantive issues. Some speakers suggested that UNODC prepare annual reports to follow up on the implementation of resolutions adopted by the Commission at previous sessions. Reference was also made to the need to enhance the functioning of the workshop organized by the institutes of the United Nations crime prevention and criminal justice programme network by better integrating its proceedings in the work of the Commission, in particular during its thematic discussions. Moreover, reference was made to the need for the full utilization of interpretation resources during the proceedings of the Committee of the Whole.

B. Action taken by the Commission

22. At its 11th meeting, on 26 May 2017, the Commission on Crime Prevention and Criminal Justice adopted a revised draft resolution (E/CN.15/2017/L.3/Rev.1) sponsored by Costa Rica, Ecuador, El Salvador, Kenya, Nicaragua and Spain. (For the text, see chap. I, sect. D, resolution 26/1.)

23. At the same meeting, the Commission approved for adoption by the Economic and Social Council a draft decision (E/CN.15/2017/L.4) sponsored by Costa Rica, Ecuador, El Salvador, Nicaragua and Spain. (For the text, see chap. I, sect. C, draft decision I.) Prior to the approval of the draft decision, a representative of the Secretariat read out a statement on the financial implications of its adoption. (For the text, see E/CN.15/2017/CRP.5, available on the UNODC website.)

Chapter III

Thematic discussion on comprehensive and integrated crime prevention strategies: public participation, social policies and education in support of the rule of law

24. At its 4th, 5th and 9th meetings on 23 May and 25 May 2017, the Commission considered agenda item 4, entitled "Thematic discussion on comprehensive and integrated crime prevention strategies: public participation, social policies and education in support of the rule of law". The discussion focused on the following sub-themes:

(a) Public participation and social policies in support of the rule of law: consultative and participatory processes for effective crime prevention and successful social policies in reducing crime and violence in the light of the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation;

(b) Education in support of the rule of law: education for all children and youth and the role of youth participation in crime prevention efforts in the light of the Doha Declaration.

25. For its consideration of agenda item 4, the Commission had before it the note by the Secretariat containing the discussion guide for the thematic discussion (E/CN.15/2017/6).

26. The prominent theme for the twenty-sixth session of the Commission was decided by the Economic and Social Council in its decision 2016/241.

27. The thematic discussion on item 4 was presided over by the Chair and led by the following panellists: Xiaoming Zhang (China), Juan José Benítez (Argentina), Erich Marks (Germany), Hiroshi Kikuchi (Japan), Enrique Gil Botero (Colombia) and Lucie Léonard (Canada).

28. The Chair made an introductory statement, reminded the audience of the twenty-fifth anniversary of the murder of Judge Giovanni Falcone and, referring to the tragedy that had happened in Manchester, United Kingdom of Great Britain and Northern Ireland, on 22 May, invited the Commission to observe a minute of silence for victims of terrorist attacks.

29. Introductory statements were also made by the Director of the Division for Treaty Affairs, the Chief of the Justice Section and the Chief of the Implementation Support Section of the Corruption and Economic Crime Branch of UNODC.

30. The observer for Kuwait made a statement (on behalf of the States members of the Gulf Cooperation Council). The Attorney General of the Federation and Minister of Justice of Nigeria also made a statement. Statements were made by the representatives of Japan, Saudi Arabia, Thailand, Mexico, the United States, China, India, South Africa, Morocco, the Islamic Republic of Iran, Canada, Germany and Eritrea.

31. The observers for the Sudan, the United Arab Emirates, Malaysia, Libya, Burkina Faso, Burundi, the Bolivarian Republic of Venezuela, Algeria, Oman, Honduras, Indonesia, the Plurinational State of Bolivia, Romania and the Netherlands also made statements.

32. The observer for the Holy See made a statement. The Assistant Director General for Communication and Information of the United Nations Educational, Scientific and Cultural Organization (UNESCO) also made a statement. The observer for the Korean Institute of Criminology made a statement. The observer for the Organization of American States also made a statement.

33. The observers for the Friends World Committee for Consultation and the International Organization for Victim Assistance also made statements.

A. Summary by the Chair

34. The Chair's summary of the salient points, which was not subject to negotiation, is presented below.

35. Speakers stressed the importance of a holistic and forward-looking vision for the prevention of crime, as well as the fundamental role of public participation, social policies and education to uphold the rule of law, foster a culture of lawfulness and achieve sustainable development, as called for in the Doha Declaration and the 2030 Agenda for Sustainable Development.

Public participation and social policies in support of the rule of law: consultative and participatory processes for effective crime prevention and successful social policies in reducing crime and violence in the light of the Doha Declaration

36. Speakers emphasized the need for comprehensive, integrated, data-supported and evidence-based strategies that address the root causes of crime and violence. Many speakers highlighted commitment to developing and implementing such strategies, including through adopting relevant social policies. In that context, the importance of respecting the rule of law, human rights, existing legally binding instruments and United Nations standards and norms in crime prevention and criminal justice was underlined.

37. Many speakers highlighted that public participation, including in the form of public-private partnerships, as well as through the involvement of academia, civil society and citizens, was key to developing effective approaches to crime prevention. In that regard, a number of speakers underlined the need for awareness-raising and communication, and called attention to the opportunities presented by traditional and new media.

38. Some speakers noted that crime prevention strategies must be inclusive, so as to leave no one behind, and emphasized the important role of youth in that regard. Several speakers stressed the need for effective approaches to address the problem of recidivism.

Education in support of the rule of law: education for all children and youth and the role of youth participation in crime prevention efforts in the light of the Doha Declaration

39. Many speakers emphasized the fundamental role of quality education at an early age and of investing in children and youth as a key crime prevention tool in supporting efforts to promote the rule of law, achieve sustainable development and foster a culture of lawfulness.

40. Some speakers noted that education was critical in addressing juvenile delinquency and preventing domestic violence. The importance of value-based education and integrating the rule of law into education at the primary, secondary and tertiary levels was highlighted by many speakers. Reference was made to the use of technology as an effective tool in education.

41. Several speakers underlined that education should be accessible to all, including girls and women. Education should be aimed at creating opportunities for the new generation, building on their role as agents of positive change in their societies, and at ensuring that crime prevention efforts were responsive to their needs. Many speakers emphasized the important role of educational institutions in building peace and tolerance and in fostering a culture of lawfulness.

42. The role of families, teachers, civil society and faith-based institutions in supporting educational efforts was emphasized by many speakers.

43. The valuable role of UNODC in assisting Member States in the field of crime prevention and education in support of the rule of law, in particular through technical assistance, was underlined.

44. The importance of international cooperation and the sharing of good practices was emphasized.

B. Workshop on institutional coordination in crime prevention: international perspectives

45. The first meeting of the Committee of the Whole, on 22 May 2017, was devoted to a workshop on the theme "Institutional coordination in crime prevention: international perspectives", organized by the institutes of the United Nations crime prevention and criminal justice programme network. The workshop was chaired by the Third Vice-Chair of the Commission and moderated by a representative of the International Centre for the Prevention of Crime in Montreal, Canada, which is a member of the United Nations crime prevention and criminal justice programme network.

46. An opening statement was made by the Director of the Division for Treaty Affairs of UNODC. Presentations were made by panellists from the International Centre for the Prevention of Crime, the Thailand Institute of Justice, the College for Criminal Law Science of Beijing Normal University, the Korean Institute of Criminology, the International Centre for Criminal Law Reform and Criminal Justice Policy (Canada) and the Latin American Institute for the Prevention of Crime and the Treatment of Offenders (Costa Rica). During the discussion, statements were made by the representatives of Saudi Arabia and Thailand. Statements were also made by the observers for the International Centre for Criminal Law Reform and Criminal Justice Policy, the College for Criminal Law Science of Beijing Normal University and the Thailand Institute of Justice. Closing statements were made by the Third Vice-Chair of the Commission and by the representative of the International Centre for the Prevention of Crime.

Chapter IV

Integration and coordination of efforts by the United Nations Office on Drugs and Crime and Member States in the field of crime prevention and criminal justice

47. At its 7th, 8th and 9th meetings, on 24 and 25 May 2017, the Commission on Crime Prevention and Criminal Justice considered agenda item 5, which read as follows:

> "Integration and coordination of efforts by the United Nations Office on Drugs and Crime and Member States in the field of crime prevention and criminal justice:
>
> "(a) Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;
>
> "(b) Ratification and implementation of the United Nations Convention against Corruption;
>
> "(c) Ratification and implementation of the international instruments to prevent and combat terrorism;
>
> "(d) Other crime prevention and criminal justice matters;
>
> "(e) Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies."

48. For its consideration of item 5, the Commission had before it the following documents:

(a) Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2017/2-E/CN.15/2017/2);

(b) Report of the Secretary-General on international cooperation in combating transnational organized crime and corruption (E/CN.15/2017/4);

(c) Report of the Secretary-General on technical assistance in implementing the international conventions and protocols related to terrorism (E/CN.15/2017/5);

(d) Report of the Secretary-General on the activities of the institutes of the United Nations crime prevention and criminal justice programme network (E/CN.15/2017/7);

(e) Note by the Secretary-General transmitting the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2017/8);

(f) Note by the Secretary-General on the nomination of members of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2017/12).

49. Introductory statements were made by the Chief of the Organized Crime and Illicit Trafficking Branch, the Chief of the Corruption and Economic Crime Branch, the Chief a.i. of the Terrorism Prevention Branch and the Chief of the Human Trafficking and Migrant Smuggling Section.

50. Statements were made by the observer for Malta (on behalf of the European Union and its member States). Statements were also made by the observer for the Sudan (on behalf of the States members of the League of Arab States). A statement was made by Oman (on behalf of the States members of the Gulf Cooperation Council).

51. Statements were made by the representatives of Belarus, South Africa, Thailand, Colombia, Saudi Arabia, France, Pakistan, China, the United States, Morocco, Canada, the Islamic Republic of Iran and Japan.

52. The observers for the Sudan, Tunisia, Armenia, Algeria, Romania, the Bolivarian Republic of Venezuela, the United Kingdom, Libya, Kuwait, Liechtenstein, Indonesia, the Plurinational State of Bolivia, Iraq, Turkey, Egypt and Finland also made statements.

53. The observers for the United Nations Interregional Crime and Justice Research Institute (UNICRI) and the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders made statements.

A. Deliberations

1. Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime

54. Speakers stated that transnational organized crime was a threat to the security, stability and development of countries and regions and called upon States that had not yet done so to accede to the Organized Crime Convention and its Protocols. Speakers recalled that the Convention and its Protocols provided a broad framework for preventing and countering transnational organized crime, the offences covered by the Protocols and other serious crimes, such as drug trafficking, cybercrime, wildlife and forest crime and money-laundering. Speakers underlined the importance of implementing the provisions of the Convention on international cooperation and reiterated that regional and international cooperation were essential for countering all forms of transnational organized crime. Several speakers called upon States to provide each other with the widest measure of mutual legal assistance. Several speakers stated that their Governments used the Convention as a legal basis for international cooperation, in addition to bilateral and regional treaties.

55. Many speakers welcomed the provision by UNODC of technical assistance and capacity-building activities to Member States through programmes such as Global Action to Prevent and Address Trafficking in Persons and the Smuggling of Migrants and the Global Firearms Programme, as well as in collaboration with relevant partner agencies and programmes, including the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

56. Many speakers shared information on national administrative and legislative measures to implement the relevant legal instruments. Several speakers underlined the importance of providing adequate protection and assistance to victims of trafficking in persons, respecting the human rights of smuggled migrants and observing humanitarian law in dealing with these cases.

57. Several speakers welcomed the progress made in the elaboration of specific procedures and rules for the functioning of the review mechanism for the Convention and its Protocols. Speakers expressed diverse views regarding the funding, information-gathering methods and role of civil society in relation to the mechanism. It was noted that discussions in that regard were ongoing in the framework of the Conference of the Parties to the Convention.

58. Many speakers also welcomed the work of the third meeting of the Expert Group to Conduct a Comprehensive Study on Cybercrime and expressed support for its continuation as a forum to, inter alia, discuss ways to counter cybercrime.

2. Ratification and implementation of the United Nations Convention against Corruption

Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Corruption

59. Several speakers described the harmful effects of corruption on development and reaffirmed the commitment of their countries to implementing the United Nations Convention against Corruption. Many speakers highlighted their positive experiences with the Mechanism for the Review of Implementation of the Convention and welcomed the launch of its second cycle.

60. Some speakers described the concrete efforts taken by their countries to effectively implement the Convention and address recommendations stemming from the country reviews.

61. Some speakers stressed the role of civil society in the review process and in fighting corruption more broadly.

62. Several speakers highlighted the importance of effective international cooperation, including through mutual legal assistance; asset recovery; promoting effective anti-corruption measures; and the sharing of good practices.

3. Ratification and implementation of the international instruments to prevent and combat terrorism

63. A number of speakers stressed the role of the United Nations in the prevention of terrorism and the importance of strengthening international and regional cooperation and upholding human rights and the rule of law while countering terrorism. Several speakers emphasized the need to address ongoing terrorist threats, including foreign terrorist fighters, the links between terrorism and transnational organized crime, the financing of terrorism, kidnapping for ransom, the use of information and communications technologies by terrorists, violent extremism and radicalization to violence.

64. Some speakers highlighted the need to prevent children from being radicalized and to address the criminal justice challenges related to the phenomenon of children associated with terrorist and violent extremist groups.

65. It was noted by several speakers that strong criminal justice responses, including enhanced international judicial cooperation, were essential to the collective efforts of States to prevent and counter terrorism.

66. Several speakers expressed appreciation for the work of UNODC on terrorism prevention, encouraged UNODC to continue providing technical assistance in that regard and encouraged States to use the training materials and other resources developed by the Office.

4. Other crime prevention and criminal justice matters

67. The speakers reaffirmed their commitment to the full implementation of the Organized Crime Convention as well as, in particular, the Trafficking in Persons Protocol, which served as the international framework for effectively preventing and combating trafficking in persons. Reference was made to the continued need to promote the United Nations Global Plan of Action to Combat Trafficking in Persons. The role of UNODC as a key partner in the international community in addressing trafficking in persons and as coordinator of the Inter-Agency Coordination Group against Trafficking in Persons was highlighted.

68. In reference to national and cross-border efforts to counter trafficking in persons, reference was made to the application of a victim-centred approach to addressing needs as they related to, among others, shelter, health, legal status and compensation of victims. It was also noted that relevant international and regional

cooperation had been enhanced through the development of memorandums of understanding and joint training activities and by conducting special and/or joint investigations.

5. Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies

69. The important work of the institutes comprising the United Nations crime prevention and criminal justice programme network, UNICRI and the International Scientific and Professional Advisory Council in advancing global research and capacity-building programmes and other activities aimed at sharing information and promoting the exchange of views and best practices within various regions was highlighted. It was noted that the institutes worked closely with United Nations entities and other international and regional organizations to organize meaningful dialogues among States, civil society and practitioners on a range of crime and criminal justice issues. It was also noted that the efforts of the institutes should continue to be coordinated with the activities of UNODC and the priorities of the Commission.

70. Reference was made to the need to better integrate the proceedings of the workshop organized by the network into the work of the Commission and thus address the increasing challenges of identifying experts to participate in the panels held during the thematic discussions by also inviting experts from the institutes to participate, along with the panellists nominated by States through the regional groups.

B. Action taken by the Commission

71. At its 9th meeting, on 25 May, the Commission decided to transmit to the Economic and Social Council the note by the Secretary-General transmitting the report of the Board of Trustees of UNICRI (E/CN.15/2017/8), which had been prepared pursuant to a decision of the Board of Trustees taken at its meeting held on 25 and 26 October 2016 in order to report to the Council, through the Commission, in accordance with article 4, subparagraph 3 (e), of the statute of the Institute (Economic and Social Council resolution 1989/56, annex).

72. At the same meeting, the Commission unanimously recommended to the Economic and Social Council that Jayantilal Karia (Uganda) and Taous Feroukhi (Algeria) be reappointed to the UNICRI Board of Trustees.

73. At its 11th meeting, on 26 May, the Commission recommended the adoption by the Economic and Social Council of a revised draft resolution (E/CN.15/2017/L.2/Rev.1) sponsored by Belarus, Bosnia and Herzegovina, Cuba, Ecuador, Eritrea, Greece, Indonesia, Japan, Kenya, Peru, the Philippines, Qatar, the Russian Federation, Serbia, the Sudan, Tajikistan, Thailand, the United Kingdom, the United States and Venezuela (Bolivarian Republic of). (For the text, see chap. I, sect. B, draft resolution I.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a statement of financial implications. (For the text, see E/CN.15/2017/CRP.5.) Following the recommendation of the revised draft resolution, the representative of Belarus stated that its adoption would be an important contribution to the review of the Global Plan of Action to Combat Trafficking in Persons, which would take place in New York in September 2017.

74. At the same meeting, the Commission adopted a revised draft resolution (E/CN.15/2017/L.5/Rev.1) sponsored by Andorra, Armenia, Australia, Chile, Costa Rica, Ecuador, India, Kenya, Liechtenstein, Malta (on behalf of the States Members of the United Nations that are members of the European Union), Nigeria, Norway, South Africa, Switzerland, Thailand and Viet Nam. (For the text, see chap. I,

sect. D, resolution 26/2.) Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a statement of financial implications. (For the text, see E/CN.15/2017/CRP.5.)

75. Also at the same meeting, the Commission adopted a revised draft resolution (E/CN.15/2017/L.9/Rev.1) sponsored by Andorra, Argentina, Australia, Bosnia and Herzegovina, Brazil, Canada, Chile, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Indonesia, Israel, Japan, Malta (on behalf of the States Members of the United Nations that are members of the European Union), Mexico, Norway, Panama, Peru, Thailand, Turkey, the United States and Uruguay. (For the text, see chap. I, sect. D, resolution 26/3.) Following the adoption of the revised draft resolution, the representative of Ecuador, the representative of Mexico, the observer for Australia, the representative of Canada and the observer for Israel expressed their delegations' regret that the resolution did not contain an explicit reference to the importance of achieving a 50/50 gender balance in the United Nations common system, especially in the Professional and higher categories. The representative of Ecuador also noted that the resolution addressed crucial issues such as the need to mainstream a gender perspective into national criminal justice policies and programmes, to take into account the specific needs of women and girls and to promote gender-related measures in the context of crime prevention policies. She stated that attaining gender equality and women's empowerment was not only a moral obligation, but also crucial for the attainment of the Sustainable Development Goals and that sustainable development was not possible if half of humanity could not avail itself of the full range of human rights and available opportunities. The representative of Mexico also stressed the importance of mainstreaming a gender perspective that took differentiated impact into consideration and placed focus on the specific needs of women and girls in crime prevention and criminal justice policies, as well as in efforts to prevent and counter transnational organized crime. She further highlighted the important role of women in promoting gender-specific measures, legislation, policies and programmes that addressed crime prevention and protection of victims, in particular in relation to the work of the Commission and of UNODC. The observer for Australia also referred to her country's satisfaction with the fact that, in the resolution, it was recognized that crime and criminal justice systems had different impacts on women and men. She expressed her delegation's belief that effective and comprehensive criminal justice systems that addressed the needs of the whole population involved men and women working together and that women had an important role in developing criminal justice responses. She stated that it was appropriate that UNODC be a model of best practices, given its important role in assisting States in developing their criminal justice policies. She expressed appreciation to UNODC for the useful guidance note on gender mainstreaming and noted that the Office should make greater efforts to achieve the 50/50 gender balance in the Professional and higher categories, in line with Commission resolution 24/3, General Assembly resolution 69/251 and Commission on Narcotic Drugs resolutions 58/12 and 59/5, and fully implement the United Nations system-wide action plan. The representative of Canada stated that, although significant progress had been achieved in advancing gender equality and human rights for women and girls, more needed to be done. She referred to her country's commitment to the advancement and achievement of equality between men and women and the empowerment of women and girls around the world. She noted that one of the most effective ways to improve the status of women and girls was ensuring their full, equal and effective participation in decision-making at all levels of political, economic and social life. She noted her country's support for the efforts of the United Nations to ensure that the rights of women and girls were protected and upheld and that those rights were fully and effectively integrated into its work, and also noted that doing so should also be the objective in the framework of the work of the Commission.

76. At its 11th meeting, on 26 May, the Commission recommended to the Economic and Social Council the approval of a draft resolution for adoption by the General Assembly (E/CN.15/2017/L.11), as revised, sponsored by Indonesia, Japan,

Kenya, Malta (on behalf of the States Members of the United Nations that are members of the European Union), Peru and the United States. (For the text, see chap. I, sect. A, draft resolution III.) Prior to the recommendation of the draft resolution, a representative of the Secretariat read out a statement of financial implications. (For the text, see E/CN.15/2017/CRP.5.) Prior to the recommendation of the draft resolution, the observer for Tunisia expressed satisfaction with the references it contained to fighting violent terrorism and the treatment of foreign terrorist fighters when they returned to their countries and to the efforts to implement the relevant Security Council resolutions and mentioned that the draft resolution had to be recommended for adoption despite some reservations. He noted that the draft resolution, in its tenth preambular paragraph and its paragraph 9, contained a rather weak formulation regarding the link between terrorism and other forms of transnational organized crime and thus did not fulfil the expectations of those countries that faced the impact of that scourge on a daily basis. Furthermore, he expressed his delegation's belief that Member States should acknowledge the victims of terrorism and that, given the sacrifices made by countries in the fight against organized crime, through which terrorism was funded, it was difficult to explain how the link between the two phenomena could not be established. The observer for Tunisia referred to the need to address corruption, crime and trafficking, to tackle the root causes of terrorism and to place the issue in the framework of international peace and security. The representative of the Islamic Republic of Iran stated that, during the discussion and the negotiations, his delegation had expressed its belief that the purposes and objectives of the draft resolution and the mandate of the Commission should be taken into account, that the subject and nature of the draft resolution was technical assistance and that any issue that was not related to technical assistance could be discussed in relevant forums only. He also noted that his delegation had actively participated in the negotiations on the draft resolution and condemned all forms of terrorism, but that, at the same time, the inclusion of the resolutions in the first footnote of the draft resolution should not set a precedent for the Commission, especially in view of the complicated and technical nature of its mandate. Following the recommendation of the draft resolution, the observer for Iraq stated that it contained several paragraphs that reaffirmed the commitment of the international community to efforts to counter terrorism. She also noted that the tenth preambular paragraph and paragraph 9 did not address the concerns faced by Iraq on the ground. She further noted that no action had been taken in connection with the subject in the preceding two years and that her delegation had only joined the consensus in order to uphold the Vienna spirit. The observer for Cuba stated that her delegation had been actively involved in the negotiations, which had led to a consensus-based adoption. She stated that her delegation maintained its position condemning all acts of terror perpetrated anywhere in the world, regardless of their motivations. The speaker recognized the role of UNODC in providing technical assistance to requesting States to combat terrorism and noted that the draft resolution was relevant in view of the incidence of new forms of terrorism and the threat that they posed. She noted the need for balanced language that referred to all forms and manifestations of terrorism more generally. She also referred to the footnote to the first preambular paragraph, mentioning certain General Assembly resolutions, which, in the view of her delegation, was restrictive and did not represent the consensus position of the international community. She stated that the Assembly had a different mandate to that of the Commission. The representative of Ecuador restated that there was a need to reflect on the mandate and specific work of the Commission and noted that her country acknowledged the dimensions, new trends and realities emerging in the field of transnational organized crime, which, for some countries and regions, had become a threat to the governance of their societies. In that regard she mentioned that her country could not and should not neglect the issue, and that the issue should not be taken out of its true context. The representative of Ecuador noted that recognition of the threat posed to the security of some countries and regions should not be an excuse for seeking to describe every criminal activity as a threat to international peace, stability and security. She also expressed her delegation's

concern about the fact that many resolutions proposed at recent sessions had focused on combating real or imaginary enemies of international security. The speaker stated that, in their international competence and agendas, other multilateral forums increasingly sought to securitize the issues dealt with by the Commission, although the specific mandate of the Commission in combating crime was prevention, the development of international legislation, technical assistance and international cooperation, among other core purposes. The speaker also expressed the view that importing language and text on terrorism from Security Council resolutions into the Commission gave rise to complications, since terrorism had been the focus, at least in the scope of the discussions on the international agendas of certain countries. According to the speaker, those countries had tried, through specific policies, to export that by a process of the gradual securitization of the international agenda. She furthermore stated that, in her country's view, there was a need for more effective international cooperation in support of national efforts to address terrorism based on the principle of shared responsibility, strict respect for international law and the purposes and principles of the United Nations Charter, in particular those purposes and principles pertaining to sovereignty and non-interference in the internal affairs of States and respect for their territorial integrity. The representative of Austria thanked all participating delegations for the constructive spirit that had characterized the discussions and noted with appreciation that, despite the various views and the sensitive issues covered by the draft resolution, delegates had shown flexibility so that agreement could be reached.

Chapter V

Use and application of United Nations standards and norms in crime prevention and criminal justice

77. At its 9th meeting, on 25 May 2017, the Commission considered agenda item 6, entitled "Use and application of United Nations standards and norms in crime prevention and criminal justice". For its consideration of the item, the Commission had before it the following: Report of the Secretary-General on the use and application of United Nations standards and norms in crime prevention and criminal justice (E/CN.15/2017/9);

78. The Director of the Division for Operations of UNODC made an introductory statement. The Special Rapporteur on violence against women, its causes and consequences made a statement.

79. Statements were made by the representatives of South Africa, Thailand, China, the United States, Canada and Morocco. Statements were also made by the observers for Indonesia, Algeria and Lebanon.

80. The observers for the Korean Institute of Criminology made a statement. The observers for Penal Reform International and the Academic Council on the United Nations System made statements as well.

A. Deliberations

81. Many speakers highlighted the significance of the United Nations standards and norms in crime prevention and criminal justice in ensuring fair, humane and effective criminal justice systems. The relevance of the standards and norms in the context of the 2030 Agenda for Sustainable Development, notably Sustainable Development Goals 5, 11 and 16 contained therein, was underscored.

82. Reference was made to the important and exclusive mandate of the Commission, as the principal policymaking body in the field of crime prevention and criminal justice. The Commission provided a forum for, inter alia, negotiations on relevant standards and norms, information exchange on crime prevention strategies and identification of priorities of the international community for combating crime.

83. Appreciation was expressed for the Commission's achievements, in particular its work on the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). In that regard, the launch of the Group of Friends of the Nelson Mandela Rules was mentioned.

84. Many speakers shared initiatives taken at the national level to improve prison conditions, ensure the respect of the human dignity of prisoners and promote the social reintegration of offenders, in line with the Nelson Mandela Rules. They also reported on their efforts to promote the use of alternatives to imprisonment, in line with the Tokyo Rules and the Bangkok Rules, including in the context of drug-related offences, as recommended in the outcome document of the thirtieth special session of the General Assembly. A number of speakers noted that the use of restorative approaches in criminal matters deserved increased attention and that a meeting to exchange experiences would be beneficial.

85. Speakers also reported on national efforts to improve access to legal aid, in particular for vulnerable members of society and groups with special needs, referring to the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems and to the Johannesburg and Buenos Aires declarations on implementing those Principles and Guidelines.

86. Speakers also addressed the need to prevent and respond to violence against children while improving the treatment of children in contact with the justice system.

87. The acute need to address violence against women, including the gender-related killing of women and girls, was stressed, as was the importance of data collection and monitoring of trends through "femicide watches" or observatories.

88. Appreciation was expressed for the ongoing technical assistance tools and programmes developed by UNODC and for its advisory role. A number of speakers called for additional resources to be allocated to the Office to support crime prevention and criminal justice reform.

B. Action taken by the Commission

89. At its 11th meeting, on 26 May 2017, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2017/L.7/Rev.1) sponsored by Argentina, Bosnia and Herzegovina, Brazil, Canada, Chile, China, the Dominican Republic, Ecuador, El Salvador, Eritrea, Finland, Germany, Italy, Japan, Mexico, Namibia, Nigeria, Norway, Panama, Paraguay, Poland, Serbia, South Africa, Sweden, Switzerland, Thailand, the United Republic of Tanzania, the United States and Uruguay. (For the text, see chap. I, sect. A, draft resolution II.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a statement of financial implications. (For the text, see E/CN.15/2017/CRP.5.) Following the recommendation of the revised draft resolution, the representative of South Africa, also speaking on behalf of the Group of Friends of the Nelson Mandela Rules, welcomed the consensus-based adoption of the revised draft resolution and noted that the Nelson Mandela Rules defined the minimum conditions to be met in order to protect the dignity of each individual deprived of liberty. The speaker noted that the Group would collaborate with UNODC towards facilitating the observance of the annual Nelson Mandela International Day in the context of promoting humane conditions of imprisonment. The representative of South Africa also expressed the conviction of the Group that the draft resolution would further inspire collective efforts to improve prison conditions and prison management worldwide. The speaker urged Member States to fully and effectively implement the Nelson Mandela Rules, particularly in law, policy and practice, and stated that the Group stood ready to provide support in that regard. Furthermore, the Group commended all Member States for their commitment to treating all persons deprived of their liberty humanely, with dignity, equality and respect for their basic human rights.

90. At the same meeting, the Commission recommended the adoption by the Economic and Social Council of a revised draft resolution (E/CN.15/2017/L.8/Rev.1) sponsored by Canada, Ecuador, Japan, Malta (on behalf of the States Members of the United Nations that are members of the European Union), Norway, Paraguay, Thailand and the United Republic of Tanzania. (For the text, see chap. I, sect. B, draft resolution II.)

Chapter VI

World crime trends and emerging issues and responses in the field of crime prevention and criminal justice

91. At its 9th and 10th meetings, on 25 and 26 May 2017, the Commission considered agenda item 7, which read "World crime trends and emerging issues and responses in the field of crime prevention and criminal justice".

92. For its consideration of item 7, the Commission had before it the following documents:

(a) Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2017/2-E/CN.15/2017/2);

(b) Note by the Secretariat on world crime trends and emerging issues and responses in the field of crime prevention and criminal justice (E/CN.15/2017/10).

93. The Chief of the Research and Trend Analysis Branch of the Division for Policy Analysis and Public Affairs of UNODC made an introductory statement. The Chief of the Sustainable Livelihoods Unit of UNODC made an introductory statement as well.

94. A statement was made by the observer for Malta (on behalf of the European Union and its Member States). Statements were made by the representatives of Thailand, Colombia, the Russian Federation, Brazil, the United States, Canada, China, Japan and South Africa.

95. Statements were also made by the observers for Algeria, Indonesia, Norway, the United Kingdom and Australia.

96. The observer for Penal Reform International made a statement.

A. Deliberations

97. Several speakers stressed the importance of having reliable and comparable data on crime and criminal justice for the formulation of evidence-based policies and called for continued support for the efforts of UNODC to further develop statistical instruments and tools for crime trend analysis, including the International Classification of Crime for Statistical Purposes.

98. A number of speakers also referred to the importance of aligning the United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, used for monitoring progress, with the Sustainable Development Goals and the principle of ensuring that no one was left behind. A number of speakers referred to the importance of improving the analysis and data on a range of issues, including crime prevention, victimization, criminal justice, environmental crime, the smuggling of counterfeit products and precious metals, and illegal fishing and mining.

99. Several speakers referred to the proliferation of cybercrime, including the online sexual exploitation of children, and cyberterrorism. Some speakers highlighted the importance of strengthened international cooperation efforts to combat cybercrime, while expressing different views on the best approach to tackling cybercrime at the international level. Some speakers expressed the view that a comprehensive new international legal instrument on cybercrime should be developed under the aegis of the United Nations. Other speakers said that a new international legal instrument was not necessary and noted that the United Nations Convention against Transnational Organized Crime and the Council of Europe Convention on Cybercrime offered the necessary tools for addressing cybercrime. Reference was also made to the work carried out by UNODC through its Global Programme on Cybercrime.

100. Many speakers expressed concern regarding the extent of wildlife and forest crime and stressed the importance of classifying it as a form of serious crime in line with the Organized Crime Convention and within the framework of their national legislation. Several speakers referred to the growing threat posed by transnational fisheries crime to security, the environment and the economy and recognized that there was an urgent need to develop and strengthen strategies and respond to associated crimes along the value chain. UNODC was requested to continue providing technical assistance through its Global Programme for Combating Wildlife and Forest Crime in order to address criminal justice challenges and to enhance information exchange and cooperation, including through more targeted research regarding wildlife, forest and fisheries crime. Reference was also made to the importance of complying with the Convention on International Trade in Endangered Species of Wild Fauna and Flora.

101. Reference was made to the importance of public-private partnerships in combating new and emerging forms of crime.

102. One speaker mentioned the need to strengthen the international asset recovery regime by developing an international legal instrument under the auspices of the United Nations.

B. Action taken by the Commission

103. At its 11th meeting, on 26 May, the Commission adopted a revised draft resolution (E/CN.15/2017/L.10/Rev.1) sponsored by Algeria, Belarus, Bosnia and Herzegovina, Brazil, Canada, China, Cuba, Ecuador, Finland, Guatemala, India, Iran (Islamic Republic of), Israel, Kenya, Mexico, the Netherlands, Norway, Pakistan, Panama, the Russian Federation, Saudi Arabia, Serbia, South Africa, the United States and Viet Nam. (For the text, see chap. I, sect. D, resolution 26/4.) Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a statement of financial implications. (For the text, see E/CN.15/2017/CRP.5.)

Chapter VII

Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice

104. At its 10th meeting, on 26 May 2017, the Commission considered agenda item 5, entitled "Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice".

105. For its consideration of the item, the Commission had before it the report of the Secretary-General on the follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and the preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice (E/CN.15/2017/11).

106. The Chair made an introductory statement on the proposed overall theme, agenda items and workshop topics for the Fourteenth Congress, as contained in draft resolution E/CN.15/2017/L.6/Rev.1.

107. An introductory statement was made by the Chief of the Corruption and Economic Crime Branch of UNODC.

108. Statements were made by the observers for the Sudan (on behalf of the States members of the League of Arab States) and Kuwait (on behalf of the States members of the Gulf Cooperation Council).

109. Statements were made by the representatives of Qatar, Thailand, Saudi Arabia, the United States, Colombia, Canada, Pakistan and Japan.

110. The observers for the Sudan, Costa Rica, Indonesia and Algeria also made statements.

111. The observer for the Latin American Institute for the Prevention of Crime and the Treatment of Offenders made a statement. The observer for the Japan Federation of Bar Associations made a statement as well.

A. Deliberations

112. In his introductory statement, the Chair acknowledged that, during the discussions on the overall theme, agenda items and workshop topics of the Fourteenth Congress, there was a widely shared understanding of fostering a culture of lawfulness in agenda item 5 as an approach by Governments towards the general public to promote trust and respect for the law and its enforcement. The Chair expressed hope that that understanding would be reflected in the future work of the Commission and of the Congress.

113. Many speakers emphasized the significance and irreplaceable nature of the United Nations congresses on crime prevention and criminal justice as the largest and most diverse forum for policymakers, experts and practitioners in the area of crime prevention and criminal justice. The mutually reinforcing relationship between the rule of law, crime prevention and criminal justice, and sustainable development was highlighted.

114. Many speakers expressed appreciation to the Government of Qatar for successfully hosting the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and for its generous contribution in support of the implementation of the Doha Declaration.

115. With regard to the preparations for the Fourteenth Congress, the representative of Japan briefed the Commission on the relevant work currently being undertaken by the host country. He indicated that a decision on the venue for the Fourteenth Congress would be made by the third quarter of 2017. Speakers thanked the Government of Japan for those preparations and welcomed the early adoption by the Commission of the overall theme, the agenda items and the workshop topics of the Fourteenth Congress, which, following the good practice applied for the Thirteenth Congress, would contribute to the successful conduct of the Fourteenth Congress. The completion of negotiations on the Doha Declaration prior to the Thirteenth Congress was noted as another good practice that should be replicated for the Fourteenth and subsequent congresses.

116. Speakers emphasized the consultative role of the congresses and suggested that the Secretariat offer guidance to the participants at the Fourteenth Congress by explaining the technical nature of the workshops, while emphasizing the policy orientation of the agenda items.

117. The representative of Costa Rica announced the intention of his Government to host the Latin American and Caribbean Regional Preparatory Meeting for the Fourteenth Congress in 2019, following previous practice.

118. Several speakers welcomed the inclusion of the concept of a culture of lawfulness in one of the agenda items of the Fourteenth Congress, noting that it was a foundational element of crime prevention and the rejection of crime. The role of education and young people in supporting crime prevention and criminal justice efforts was emphasized. In that regard, the Doha Youth Forum on Crime Prevention and Criminal Justice was recognized as a valuable initiative, and speakers recommended that due consideration be accorded to holding similar forums before future congresses.

119. Speakers further noted that the discussions during the Fourteenth Congress should address issues such as international cooperation, transnational organized crime, terrorism, new and emerging forms of crime and gang-related crime.

B. Action taken by the Commission

120. At its 11th meeting, on 26 May, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2017/L.6/Rev.1) sponsored by Australia, Brazil, Canada, Colombia, Ecuador, Eritrea, Finland, France, Germany, Guatemala, Italy, Japan, Kuwait, Mexico, the Philippines, Qatar, Saudi Arabia, Serbia, Thailand, the United Kingdom, the United Republic of Tanzania and the United States. (For the text, see chap. I, sect. A, draft resolution I.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a statement of financial implications. (For the text, see E/CN.15/2017/CRP.5.)

Chapter VIII

Contributions by the Commission to the work of the Economic and Social Council, in line with General Assembly resolution 68/1, including follow-up, review and implementation of the 2030 Agenda for Sustainable Development

121. At its 10th meeting, on 26 May 2017, the Commission considered agenda item 9, entitled "Contributions by the Commission to the work of the Economic and Social Council, in line with General Assembly resolution 68/1, including follow-up, review and implementation of the 2030 Agenda for Sustainable Development".

122. The Chair made an introductory statement. Introductory statements were made by the Director of the Division for Policy Analysis and Public Affairs and the Chief of the Research and Trend Analysis Branch of UNODC.

123. Statements were made by the representatives of Thailand and the United States. A statement was made by the observer for Czechia.

124. The observer for the State of Palestine also made a statement.

Deliberations

125. The representative of the Secretariat noted that UNODC had been contributing to the progress towards achieving the 2030 Agenda for Sustainable Development through the support that it had been providing to the Commission on Crime Prevention and Criminal Justice and the Commission on Narcotic Drugs and referred to a joint special event on the topic, which had been held in November 2016 on the occasion of the visit of the President of the General Assembly. He also noted that the Commission, through its mandate and functions, had a critical role to play in the monitoring and review of the implementation of the Sustainable Development Goals. He mentioned that the Office had continued to support the submission of substantive contributions by the Vienna-based commissions to the high-level political forum to be held in July 2017 and to the work of the Economic and Social Council. He noted that UNODC actively supported and reported on the progress made towards a number of targets under Sustainable Development Goal 16. He suggested that, as the progress relating to Goal 16 would be a part of that in-depth review, those countries planning to undertake a voluntary review in New York might wish to consider the same issues during their interventions at the session of the Commission on Crime Prevention and Criminal Justice to be held in the first half of 2019. Reference was made to the important role of the UNODC data-collection efforts mandated by the Commission, in the form of the annual crime trend survey, for the global monitoring of progress regarding the targets and Goals related to violence, access to justice, rule of law and corruption. In connection with the 2017 review by the high-level political forum of progress regarding the Goals related to poverty, gender equality, health and sustainable industry, a representative of the Secretariat noted that survey data presented to the Commission showed the links between violence and income inequality and between economic development and access to justice. They also showed that, in some regions of the world, increasing numbers of women were the victims of intimate partner killings.

126. The valuable contribution made by the Commission to the work of the Economic and Social Council was recognized. Reference was made by a number of speakers to the efforts undertaken by their Governments in the national voluntary reviews that they would undergo at the forthcoming meeting of the high-level political forum, to be held in July 2017.

127. It was noted that the Commission was the leading policymaking body for crime prevention and criminal justice issues within the United Nations system and that other bodies could contribute within the framework of implementing the 2030 Agenda and within their mandates to achieving the anti-crime objectives. The role of the Commission in ensuring that States met the ambitious goals that had been set and that no one was left behind was highlighted. In that regard it was also noted that UNODC had a particularly important role in contributing to the collection and analysis of comparable and reliable information on international crime trends and responses to crime.

128. The significance of Goal 16 in strengthening the rule of law, peace, justice and security as part of the efforts to achieve sustainable development, and the work UNODC did in that regard, were highlighted.

Chapter IX

Provisional agenda for the twenty-seventh session of the Commission

129. At its 10th meeting, on 26 May 2017, the Commission considered agenda item 10, entitled "Provisional agenda for the twenty-seventh session of the Commission".

Action taken by the Commission

130. At its 10th meeting, on 26 May 2017, the Commission recommended to the Economic and Social Council the adoption of a draft decision (E/CN.15/2017/L.12). (For the text, see chap. I, sect. C, draft decision II.)

Chapter X

Other business

131. At its 10th meeting, on 26 May 2017, the Commission considered agenda item 11, entitled "Other business". No issues were raised under the agenda item.

Chapter XI

Adoption of the report of the Commission on its twenty-sixth session

132. At its 11th meeting, on 26 May 2017, the Commission adopted by consensus the report on its twenty-sixth session (E/CN.15/2017/L.1 and Add.1-4), as orally amended.

Chapter XII

Organization of the session

A. Informal pre-session consultations

133. At its reconvened twenty-fifth session, held on 1 and 2 December 2016, the Commission agreed that the regular part of its twenty-sixth session would be held from 22 to 26 May 2017, with informal pre-session consultations to be held on 19 May 2017, the working day preceding the first day of the session.

134. At the informal pre-session consultations on 19 May 2017, chaired by the First Vice-Chair, Lotfi Bouchaara (Morocco), the Commission conducted a preliminary review of the draft resolutions that had been submitted by the deadline of 24 April 2017 and dealt with organizational matters for the twenty-sixth session.

B. Opening and duration of the session

135. The Commission held the regular part of its twenty-sixth session in the first half of the year in Vienna from 22 to 26 May 2017, during which time there were 10 plenary meetings and 6 meetings of the Committee of the Whole.

136. The Chair of the Commission opened that part of the session. At the 2nd, 3rd, 5th and 6th meetings, on 22, 23 and 24 May 2017, the Executive Director of UNODC made an opening statement and invited participants to observe a minute of silence for Giorgio Giacomelli, who had served as Executive Director of the United Nations International Drug Control Programme and Director-General of the United Nations Office at Vienna from 1991 to 1997. The representative of Italy made a statement paying tribute to Mr. Giacomelli.

137. Opening statements were made by the representative of the Islamic Republic of Iran (on behalf of the Group of 77 and China), the observer for Algeria (on behalf of the Group of African States), the observer for Sri Lanka (on behalf of the Group of Asia-Pacific States), the observer for the Bolivarian Republic of Venezuela (on behalf of the Group of Latin American and Caribbean States) and the observer for Malta (on behalf of the European Union and its Member States). The observer for the Sudan also made a statement (on behalf of the States members of the League of Arab States).

138. Opening statements were also made by the Minister of Justice and Law of Colombia; the Deputy Minister of Foreign Affairs of the Russian Federation; the Vice-Minister of Justice of China; the Attorney General of the Federation and Minister of Justice of Nigeria; the Minister of Justice and Minister of State for National Assembly Affairs of Kuwait; the Chief Justice of the Supreme Court of Indonesia; a Judge of the Supreme Court of Peru; the Deputy Director General for the United Nations, International Cyberpolicy and Counterterrorism of the Federal Foreign Office of Germany; the Director General of Multilateral and Economic Affairs at the Ministry of Foreign Affairs of Guatemala; the Principal Deputy Assistant Secretary of the Bureau of International Narcotics and Law Enforcement Affairs of the Department of State of the United States; the Permanent Secretary of the Ministry of Justice of Thailand; the Special Envoy on Transnational Crime of the Philippines; the Undersecretary for Crime Policy of the Ministry of Justice and Human Rights of Argentina; the Senior Deputy Solicitor General and Director of the Assets Recovery Agency of the Office of the Attorney General and Department of Justice of Kenya; a Magistrate of the Supreme Court of Justice of Honduras; the Legal Adviser to the Minister of the Interior of Qatar; and the Specialist in Foreign Affairs of the Ministry of Justice of Cuba.

139. Statements were also made by the representatives of Ecuador, France, Brazil, Morocco, Mexico, Chile, Italy, the Dominican Republic, Pakistan, South Africa, the Islamic Republic of Iran, El Salvador, the Republic of Korea and India.

140. Statements were also made by the observers for Panama, Malaysia, Australia, the United Kingdom, Turkey, Norway, Romania, the United Arab Emirates, Bulgaria, Costa Rica, Namibia, Algeria, the Bolivarian Republic of Venezuela and Portugal.

141. A statement was made by the Executive Director of the Counter-Terrorism Committee Executive Directorate.

C. Attendance

142. The twenty-sixth session was attended by representatives of 34 States members of the Commission. Also attending were observers for 82 other States Members of the United Nations, observers for 2 non-member States, representatives of 20 entities of the United Nations system and observers for the institutes of the United Nations crime prevention and criminal justice programme network, 14 intergovernmental organizations and 41 non-governmental organizations in consultative status with the Economic and Social Council. A list of participants is contained in document E/CN.15/2017/INF/2.

D. Election of officers

143. Pursuant to Economic and Social Council resolution 2003/31 and rule 15 of the rules of procedure of the functional commissions of the Council, the Commission, at the end of its reconvened twenty-fifth session, on 2 December 2016, opened its twenty-sixth session for the purpose of electing its bureau for that session. In view of the rotation of offices based on regional distribution, the officers elected for the twenty-sixth session of the Commission and their respective regional groups are listed below.

144. On 2 December 2016, the Commission elected the Chair, the Second Vice-Chair and the Rapporteur. The nomination for Third Vice-Chair remained pending until 9 December 2016, when the Group of Latin American and Caribbean States nominated Wilson Marcelo Pástor Morris of Ecuador. On 21 April 2017, the Group of Eastern European States informed the Chair that Olga Algayerova of Slovakia could no longer serve as the Second Vice-Chair of the Commission. On 15 May 2017, the Group of Eastern European States nominated Roksanda Ninčić of Serbia for that office. The Commission elected the First Vice-Chair, Second Vice-Chair and Third Vice-Chair during its consideration of item 1.

145. The officers of the Commission at its twenty-sixth session were as follows:

Chair	Asia-Pacific States	Mitsuru Kitano (Japan)
First Vice-Chair	African States	Lotfi Bouchaara (Morocco)
Second Vice-Chair	Eastern European States	Roksanda Ninčić (Serbia)
Third Vice-Chair	Latin American and Caribbean States	Wilson Marcelo Pástor Morris (Ecuador)
Rapporteur	Western European and other States	Roland Seeger (Germany)

146. A group composed of the Chairs of the five regional groups (the observers for Algeria, Croatia, Sri Lanka, Switzerland and Venezuela (Bolivarian Republic of)), the representative of Iran (Islamic Republic of) (on behalf of the Group of 77 and China) and the observer for Malta (on behalf of the European Union) was established to assist the Chair of the Commission in dealing with organizational matters. That group, together with the elected officers, constituted the extended Bureau foreseen in Economic and Social Council resolution 2003/31. During the twenty-sixth session of the Commission, the extended Bureau met on 24 May 2017 to consider matters related to the organization of work.

E. Adoption of the agenda and organization of work

147. At its 2nd meeting, on 22 May 2017, the Commission adopted the provisional agenda and proposed organization of work (E/CN.15/2017/1), which had been approved by the Economic and Social Council in its decision 2016/243.

F. Documentation

148. The documents before the Commission at its twenty-sixth session are listed in conference room paper E/CN.15/2017/CRP.6.

G. Closure of the current part of the session

149. At its 11th meeting, on 26 May 2017, the Commission heard closing statements by the Director of the Division for Treaty Affairs on behalf of the Executive Director of UNODC and by the Chair of the Commission.

150. Closing statements were also made by the observers for Armenia, Nigeria, the Bolivarian Republic of Venezuela (on behalf of the Group of Latin American and Caribbean States) and Algeria (on behalf of the Group of African States). Further statements were made by the observers for Algeria, the representative of France and the observer for Malta (on behalf of the European Union and its member States).